MUHAMMAD

The Messenger of God
And the Law of Blasphemy
In Islam and the West

MUHAMMAD ISMAIL QURESHY

Senior Advocate Supreme Court of Pakistan

and Chairman, World Association of Muslim Jurists

Published by:

Nuqoosh

Urdu Bazar Lahore - Pakistan

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without the prior written permission of the publisher or Author, nor be otherwise circulated in any form of binding or cover other than that in which it is published and without a similar condition being imposed on the subsequent purchaser.

Edition	**1st**
Year	**March 2008**
Price	**Rs. 400.00**
Price Out side Pakistan	**$. 10.00**

Published by:

Nuqoosh

Urdu Bazar Lahore - Pakistan
Ph: 7353525 - 7311291 - 7226516
Fax: 92-42-7229389
E.mail: info@nuqooshpublishers
Web Site: nuqooshpublishers.com
Printed by: Nuqoosh Press Lahore - Pakistan

DEDICATED

To all those who love,

respect and uphold the

Dignity of Muhammad, the

Last Messenger of God and all

the Preceding Prophets peace be

upon them

CONTENTS

Page

- Foreword: Justice Saiduzzaman Siddiqui (R) Chief Justice of Pakistan. v
- Introduction: Dr. Mahmood Ahmed vii
- Preface: Muhammmad Ismail Qureshy ix

PART-1 THE DIGNITY OF MUHAMMAD
The Messenger of God

Page

- Introduction : The Need for Constructive Dialogue 1-3

Chapter I: Page

- Muhammad in the Bible 4
- In the Ancient Religious Books 14
- References 16

Chapter II: Page

- Muhammad in the eyes of western luminaries 17-31
- References 32

Chapter III – Islam Page

- Impact of Islam on universally recognized leaders of the world. 37
- Tolerance and Mediation of Islam. 42-45
- References 46

Chapter IV – The Qur'an Page

- An uncreated and immutable book 50
- The Bible, The Qur'an and Science 54
- References 56

PART 2 – THE LAW OF BLASPHEMY IN ISLAM AND THE WEST

Chapter V Page

- A Soul Inspiring Dream 58
- Baseless Objections 62

Chapter VI – Blasphemy Law And Human Rights Page

- Plato's Republic – Magna Carta 71-73
- Rousseaue's Social Contract 74
- Farewell Sermon 76
- U.N, Charter and its Role in global affairs 79

Chapter VII – Blasphemy Law in Europe Page

- U.K Common Law 85
- Rushdie Affair and Superior Courts 90
- European Court of Human Rights 91
- Blasphemy Law In USA 93
- Salahuddin and Reginald blasphemer 99
- Huntington's Clash of Civilizations 104

Chapter VIII Page

- Muslim Spain 107
  Emergence of A New Civilization
- Mosque of Qurtubah and Taj Mahal 111
- Blasphemy Movement in Spain 115
- Council of Bishops to prevent blasphemy. 119

Chapter IX – Blasphemy Law in Muslim Countries

- Arabian Peninsula, Egypt, Syria 122-3
- Afghanistan, Iran 124-5
- During Muslim Rule in Spain 125
- During Muslim Rule in India 126

Chapter X – A Zealous Apolo
Rushdie

- World Constitutions and
  Expression
- Rushdie and Lady Diana

Chapter XI
Blasphemous Cartoons and F

- Aamir Cheema Shaheed
- Inter-Faith Dialogue wi
- References

PART 3 – ANCIENT AND 2
STAND POINT REGAR

Chapter XII

- Ancient Ulema (Muslim
  Fadhl Qadhi Ayadh, Ch
- *Sheikhul Islam Imam Ib*
- Justification for blasphe

Chapter XIII

- 20th Century Ulema's s
  regarding Blasphemy's
- Edict of Grand Mufti o
  Abul A'ala Moududi an
- Imam Khomeini's Dec
  Ayatullah Khamana E'
- Abul Hasan Nadvi
  Naseef
- Ghazi Ilmuddin and Al
  Shaheed
- General Conclusion
- References

F BLASPHEMY IN ISLAM HE WEST

	Page
am	58
	62

aw And Human Rights Page

agna Carta	71-73
ontract	74
	76
ole in global affairs	79

aw in Europe Page

	85
perior Courts	90
man Rights	91
A	93
ald blasphemer	99
Civilizations	104

Page

	107
Civilization	
nd Taj Mahal	111
in Spain	115
prevent blasphemy.	119

w in Muslim Countries

pt, Syria	122-3
	124-5
Spain	125
India	126

Chapter X – A Zealous Apologist For Satanic Verses of Rushdie Page

- World Constitutions and Freedom of Expression 134
- Rushdie and Lady Diana 144

Chapter XI Page

Blasphemous Cartoons and Freedom of Press 145

- Aamir Cheema Shaheed 150
- Inter-Faith Dialogue with Pope Benedict 152
- References 155

PART 3 – ANCIENT AND 20TH CENTURY ULEMA'S STAND POINT REGARDING BLASPHEMY

Chapter XII Page

- Ancient Ulema (Muslim Scholars), *Abul Fadhl Qadhi Ayadh, Chief Justice of Spain* 160
- *Sheikhul Islam Imam Ibn-e-Taymiah* 165
- Justification for blasphemer's execution 166

Chapter XIII Page

- 20th Century Ulema's standpoint regarding Blasphemy's punishment. 173
- Edict of Grand Mufti of Saudi Arabia – Abul A'ala Moududi and other scholars. 174-84
- Imam Khomeini's Declaration – Ayatullah Khamana E's announcement. 188
- Abul Hasan Nadvi – Abdulha Umar Naseef 190
- Ghazi Ilmuddin and Abdul Qaiyum Shaheed 191
- General Conclusion 197
- References 201

APPENDIXES
Important Judgements of Blasphemy Cases

		Page
Appendix-A:	Judgement of Federal Shariat Court of Pakistan in Mohammad Ismail Qureshy's case PLD-1991-FSC-10.	198-232
Appendix-A/1:	Supreme Court of Pakistan Judgement in Dr. Mohammad Amin's case.	233-235
Appendix-B:	Passage from House of Lords Judgement in Lemon case.	236
Appendix-C:	Abstract of judgement of European Court of Human Rights in re Wingrove case.	237-242
Appendix-D:	Excerpt from the judgement of Supreme Court of USA.	243-2246
Appendix-E:	Judgement of the High Court Judicature of Lahore.	2247-251
Appendix-F:	Relevant portions from the article of Sunday Times and Reader's Digest of January 2000 against the author and The Law of Blasphemy.	252-253
Appendix-G:	Letter of appreciation to the author from Harvard's law School dated March 21, 2000.	254

- General Index 255-261
- Table of Blasphemy Cases 262
- About the Author 263
- Published Work 264

FORE

Justice Saiduzz
(r) Chief Justi

"Muhammad, the Me
Blasphemy in Islam and
Mohammad Ismail Qureshy
subject. The Book is likely to
the researchers, religious sch
legal community. The author
and researched material has c
the West about Islamic practi
of Islam. The book is divided
the discussion about pr
comparative study of differ
Islamic code and practices
religions. The author has quo
opinion of well known w
historians, critics and writers
and the impact of Islam an
western society.

In Part-II of the Bo
Blasphemy Laws with refere
with the Human Rights in g
has traced the classical co
existed before and after the a
other countries of the Worl
human rights conferred by
without discrimination. The
UK, European countries, USA
world has been discussed i
reference to leading cases on
book useful for practicing law

hemy Cases

Page

ariat 198-232

shy's

an 233-235
mad

ords 236
e.

237-242
n
se.
nt of 243-2246

urt 2247-251

e 252-253
id
v
d

e 254

00.

255-261
262
263
264

FOREWORD

Justice Saiduzzaman Siddiqui
(r) Chief Justice of Pakistan

"Muhammad, the Messenger of God and Law of Blasphemy in Islam and the West" written by Mr. Mohammad Ismail Qureshy is a valuable addition on the subject. The Book is likely to inspire great interest amongst the researchers, religious scholars, social scientist and the legal community. The author through his well documented and researched material has countered the biased opinion in the West about Islamic practices and laws and the Prophet of Islam. The book is divided in three Parts. Part-I contain the discussion about prophethood of Mohammad, comparative study of different religions, the impact of Islamic code and practices on the followers of other religions. The author has quoted in this part of the book the opinion of well known western leaders. Philosophers, historians, critics and writers about the Prophet of Islam and the impact of Islam and Islamic civilization on the western society.

In Part-II of the Book the author has discussed Blasphemy Laws with reference to its so called conflict with the Human Rights in global perspective. The author has traced the classical concept of human rights as it existed before and after the advent of Islam in Europe and other countries of the World and compared it with the human rights conferred by Islam on the human beings without discrimination. The Blasphemy laws as it exist in UK, European countries, USA and Islamic Countries of the world has been discussed in this part of the book with reference to leading cases on the subject which makes this book useful for practicing lawyers.

In the last Part-III of the book the author has reproduced the opinions of Muslim scholars on offence of Blasphemy and punishment prescribed for it. There appears to be near consensus amongst the scholars of different school of thoughts in Islam about the punishment prescribed for the offence of Blasphemy. By incorporating the judgment of Lahore High Court in the famous case of Ilamdin Vs. King Emperor and relevant text and extracts from leading judgments on Blasphemy rendered by the Courts in Pakistan, England, USA and European Court of Human Rights in the appendices the intrinsic value of the book has been greatly enhanced for ordinary reader as well legal professional for use as a reference book.

INTRODU

Dr. Mahmoo

Chairman of Faculty of Shar
Islamic University Islamab
Religions Affai

The Muslim Ummah ov
its strong belief in Islam and c
of the Prophet of Islam (peac
body of religious and social of
love and veneration for the
(peace be upon him). Accordi
Law, represented by the w
example of the Prophet Muha
must always be above each
unconditional and unqualifie
given by the Prophet (peace
pre-requisite of being a Musli
honour and dignity of the
protected at all costs and n
personality into dispute or di
Any move to revile his sacred
conduct is considered High T
days of the First Caliph upto
unanimously been held b
blasphemous act or utterance
(peace be upon him) is li
Throughout Muslim history, t
punishment for the perpetrat
the days of so-called liber
Emperor, Jalauddin Akbar, t
only punishment for this seric

Unfortunately, under
liberal democracy of the w

author has
n offence of
here appears
of different
punishment
corporating
ous case of
nd extracts
red by the
an Court of
alue of the
der as well

INTRODUCTION

Dr. Mahmood Ahmed

Chairman of Faculty of Shariah and law, International Islamic University Islamabad, Former Minister of Religions Affairs, Pakistan.

The Muslim Ummah owes its unity and integrity to its strong belief in Islam and commitments to the message of the Prophet of Islam (peace be upon him). The entire body of religious and social of Islam rests on a deep rooted love and veneration for the personality of the Prophet (peace be upon him). According to the Qur'an the Divine Law, represented by the word of Qur'an and model example of the Prophet Muhammad (peace be upon him), must always be above each and every decision. This unconditional and unqualified submission to the verdict given by the Prophet (peace be upon him) is the primary pre-requisite of being a Muslim. This necessitates that the honour and dignity of the Prophet of Islam must be protected at all costs and no effort to put his sublime personality into dispute or disrespect should be tolerated. Any move to revile his sacred name or to insult his beloved conduct is considered High Treason. That is why form the days of the First Caliph upto our own times, it has almost unanimously been held by the Muslims that any blasphemous act or utterance towards the Prophet of Islam (peace be upon him) is liable to capital punishment. Throughout Muslim history, the law of land provided death punishment for the perpetrators of this crime. Even during the days of so-called liberal and enlightened Mughal Emperor, Jalauddin Akbar, the law provided death as the only punishment for this serious offence.

Unfortunately, under the influence of the secular liberal democracy of the west, a small minority in our

country has been raising voices against the provision of blasphemy in our law. It is conveniently ignored by this secular minority that the punishment of death for the heinous crime of the insult of the Prophet of Islam (peace be upon him) was provided in pursuance of the unanimous resolution of the Senate of Pakistan and the judgement of the Federal Shariat Court.

Mr. Muhammad Ismail Qureshy, a relentless advocate for the cause of Islam and a sincere fighter for the supremacy of Shariah in Pakistan has been in the forefront of defending this law. To him goes the credit of several initiatives which ultimately resulted in bringing this law of blasphemy on the Statute Book of Pakistan. It is painful to note that some elements have been trying to create misgivings and misunderstandings about this Islamic principle. Mr. Ismail Qureshy has been doing his best to dispel such misgivings and to explain the true Islamic position to his readers. He has authored a number of articles and publications on various aspects of the law of blasphemy, mostly in Urdu, in addition to many speeches and presentations on different fora. Now he has condensed his findings in the present volume which has been prepared in English. The book is well researched and is quite comprehensive. Running into twelve chapters, it deals with the problem of blasphemy from different perspectives. He, not only, throws light on Islamic position with its rationale but also compares the Islamic position with different laws of similar nature in the western world.

I am confident that this publication of Mr. Ismail Qureshy will by widely appreciated and read both in the legal circles as well as by general educated readers. I congratulate the learned author on the production of this comprehensive work and pray for its success.

PRE

The Urdu edition of
– *Rasool"* was first publishe
a large readership as it disc
blasphemy, which was en
Pakistan on a petition of the
Court of Pakistan. Some of
translated into English and
Harvard Law School and
showed great academic inte
law in Pakistan. They sen
author for further research o

The wide spread ap
book encouraged me to pu
exhausted soon after their
was remodified and was
previous editions. During m
Muslim brethren and even
scholars who had gone thr
my book urged me to pub
book. Despite my professio
amount of work was done
details and judicial aspect
and other religions: Christ
meant largely for English
addressed to the readers
interested in Islamic laws.

I have stated the la
as prescribed in the Holy
European countries. But o
reference to the Noble Qu
urged before the Federal S
judgement annexed as Ap

inst the provision of
ently ignored by this
nt of death for the
ophet of Islam (peace
nce of the unanimous
and the judgement of

ureshy, a relentless
sincere fighter for the
been in the forefront
the credit of several
bringing this law of
istan. It is painful to
n trying to create
about this Islamic
n doing his best to
in the true Islamic
ored a number of
pects of the law of
to many speeches
w he has condensed
has been prepared
ched and is quite
apters, it deals with
t perspectives. He,
n with its rationale
with different laws

tion of Mr. Ismail
read both in the
ducated readers. I
production of this
ess.

PREFACE

The Urdu edition of the author's book ***"Namoos – e – Rasool"*** was first published in the year 1994. It attracted a large readership as it discussed in detail Islamic law of blasphemy, which was enforced for the first time in Pakistan on a petition of the author filed in Federal Shariat Court of Pakistan. Some of the portions of the book were translated into English and published in UK and USA. Harvard Law School and Chicago University of USA showed great academic interest in this newly promulgated law in Pakistan. They sent their scholars to contact the author for further research on the subject.

The wide spread appreciation of the readers of the book encouraged me to publish more editions which were exhausted soon after their publication. The third edition was remodified and was more comprehensive than the previous editions. During my visit to Europe and USA, my Muslim brethren and even some non – Muslim friends and scholars who had gone through the translated portions of my book urged me to publish the English version of the book. Despite my professional preoccupations, an immense amount of work was done to equip the book with historical details and judicial aspects of law of blasphemy in Islam and other religions: Christianity and Judaism. This book is meant largely for English speaking readers and especially addressed to the readers in the West and also for those interested in Islamic laws.

I have stated the law and punishment of blasphemy as prescribed in the Holy Bible and its implementation in European countries. But omitted to state Islamic Law with reference to the Noble Qur'an, because the same has been urged before the Federal Shariat Court which is cited in the judgement annexed as Appendix-A.

I express my gratitude, in no perfunctory sense, to my publisher Mr. Javed Tufail who carried out the ideal mission of his worthy father, renowned for publication of Islamic literature. Mr. Abu Khiyal of Maktaba Darussalam deserves gratefullness for editing the first part of this book. I am thankful to Maulana Abdul Malik learned member of Maktaba who extended his active co-operation in this regard.

I am indebted to my learned friend and Islamic scholar Syed Hamid Hasan Shah advocate, who took pains in going through the entire manuscript and offered useful suggestions. He was generous enough to place his valuable library at my disposal. I am thankful to my brother Mr. Hafeez R Khan, Fulbright scholar and researcher at the University of Chicago and Australian National University Canberra, for revising several chapters of the book.

I would like to record the indispensable assistance of my brother London based Barrister Saleem Qureshi who provided substantial material for this book. I am highly grateful to Mr. I.H. Raashed, President Pakistan Federal union of journalists and special correspondent of Daily dawn, who helped me a great deal in correcting the proof of entire manuscript.

My thankful prayers to my parents and late wife Fouzia Qureshi, who had devoted herself for the noble cause of Islamic work. My eldest daughter, Attia Asad collected material from different libraries of Canada. My grand daughter Fatima Asad sent articles published in Reader's Digest and Sunday Times New York, containing offensive comments against me and Islamic law of blasphemy. My grand son Hamza Salahuddin provided me relevant text of the Hebrew Bible from England. My daughter Sofia Mustafa and Dr. Samia Salahuddin and my daughters in law, Shabana Taha and Dr. Saima Waseem corrected typographical mistakes after re reading the

manuscript. They were assisted by my grand son Jauwad and grand daughter Humaira in this tiresome task.

I wish to mention the names of my computer staff, Gulzar Ahmed and Shahid Mughal who typed the manuscript with commitment and superb efficiency.

I have a deep debt of gratitude to great writers, judges, jurists, and historians, whose profound knowledge and wisdom immensely helped me during writing this book.

PART 1

THE DIGNITY OF MUHAMMAD THE MESSENGER OF GOD (PEACE BE UPON HIM)

THE DIGNITY OF MUHAMM
MESSENGER OF GOD AND TH
BLASPHEMY

****

The Need For Constructive Di

The Islamic law of Blasphem
properly understood in its true per
predominantly Christian West. Since the
western civilization, the attitude of Ch
Islam was not one of constructive
misunderstanding between the West an
Muslim world has resulted in ongoing
against Islam. Ever since the year 1991 w
on the writer's well known case, *M*
Qureshy vs Federal Government of
announced, directing the Government
Islamic law of Blasphemy in Pakistan
devastating campaign of disinformati
internet, electronic and print media, b
human rights reports, claiming that th
inhumane and a threat to the minorities l
The judgement of the Federal Shariat Co
above titled case is *Appendix A*. There is,
need today than ever before, to remo
misgivings about Islam and its law of Bla

In order to understand the law o
Islam, one has to set aside polemics and
rule of objective research in view. In t
attempted to study the subject disp
reference to the universally accepted statu
the Prophet of Islam, his role as benefacto
complete code of conduct for humanity, r

ART 1

'Y OF MUHAMMAD
SENGER OF GOD
BE UPON HIM)

THE DIGNITY OF MUHAMMAD, THE MESSENGER OF GOD AND THE LAW OF BLASPHEMY

****

The Need For Constructive Dialogue

The Islamic law of Blasphemy has not been properly understood in its true perspective by the predominantly Christian West. Since the rise of medieval western civilization, the attitude of Christianity towards Islam was not one of constructive dialogue. The misunderstanding between the West and the rest of the Muslim world has resulted in ongoing media onslaught against Islam. Ever since the year 1991 when the judgment on the writer's well known case, *Muhammad Ismail Qureshy vs Federal Government of Pakistan*, was announced, directing the Government to enforce the Islamic law of Blasphemy in Pakistan, there has been devastating campaign of disinformation through the internet, electronic and print media, besides subjective human rights reports, claiming that this law is unjust, inhumane and a threat to the minorities living in Pakistan. The judgement of the Federal Shariat Court of Pakistan, in above titled case is *Appendix A*. There is, therefore, greater need today than ever before, to remove these serious misgivings about Islam and its law of Blasphemy.

In order to understand the law of Blasphemy and Islam, one has to set aside polemics and keep the simple rule of objective research in view. In this work, I have attempted to study the subject dispassionately with reference to the universally accepted status of Muhammad, the Prophet of Islam, his role as benefactor of mankind, his complete code of conduct for humanity, namely the Quran,

CHAPTER-1

Muhammad Peace Be Upon Him In The Bible

Muslims have always shown reverence and respect for all the Prophets of the Scriptures. They have never ridiculed the leaders of other religions and their logos, as it would be violation of Islamic Law. The Christian West has a direct source of knowledge and information with respect to dignified life of the Prophet of Islam, and his teachings, but due to a long history of prejudices, most educated people of western societies could not appreciate the truth about Islam and the Prophet of Islam. Even if they study their own Scriptures, or if they were to read the writings of the great western scholars, like Goethe, Carlyle, Tolstoy and other thinkers, philosophers, scholars, scientists and statesmen of the past and present, it would have certainly clarified their distorted image of Islam and the Prophet of Islam.

At first we would like to refer to Biblical evidence of Muhammad's Prophethood. There are clear prophecies of the advent of Muhammad as the last prophet of God in the Old Testament (Torah) and the New Testament (Injeel). In prophetic cycle it is an established tradition that every prophet foretells the appearance of his successor as a Messenger of God to carry on his mission. The prophecies contain some details about the important events of the prophetic role of the coming Messenger.

The Old T

Progeny of Abraham:-

The first book of the creation of the world, describes Ishmael, Isaac and other Proph tells us about the birth of Ishma chapter XXI verse 16 to 21 of efforts of Hagar (Hajra) in se desert of Paran (Faran – Mak infant son Ishmael. The Ang (Hajra) and says to her: "Arise thine hand and I will make prediction is not about the nati (Israel), but it is about the prog Muhammad, the last prophet of

Prophecy of Moses:-

In Deuteronomy – (The of the Bible) Moses foretelling said to his followers with refere unto him "The Lord thy God prophet from the midst of thee me, unto him ye shall hear;..... me, they have well spoken whi raise them up a prophet from unto thee, and will put my wo shall speak unto them all that I

According to the above of Islam who fulfills the entire qualifications of that prophet powerful and strong prophet God's sovereign authority on brought new laws for the m prophet after Moses who can c law for their people to live a pe

-1

n Him In The Bible

wn reverence and respect
ptures. They have never
ions and their logos, as it
. The Christian West has
information with respect
Islam, and his teachings,
ejudices, most educated
not appreciate the truth
slam. Even if they study
re to read the writings of
Goethe, Carlyle, Tolstoy
scholars, scientists and
, it would have certainly
Islam and the Prophet of

efer to Biblical evidence
here are clear prophecies
he last prophet of God in
New Testament (Injeel).
shed tradition that every
of his successor as a
mission. The prophecies
important events of the
enger.

The Old Testament

Progeny of Abraham:-

The first book of the Bible, Genesis referring to creation of the world, describes the life stories of Abraham, Ishmael, Isaac and other Prophets. Chapter XVI of Genesis tells us about the birth of Ishmael, elder son of Abraham. In chapter XXI verse 16 to 21 of Genesis describe desperate efforts of Hagar (Hajra) in search of some water in the desert of Paran (Faran – Makkah), to save the life of his infant son Ishmael. The Angel of God comforts Hagar (Hajra) and says to her: "Arise, lift up the lad (Ishmael) in thine hand and I will make him a great nation".[1] This prediction is not about the nation from the lineage of Isaac (Israel), but it is about the progeny of Ishmael, ancestor of Muhammad, the last prophet of God.

Prophecy of Moses:-

In Deuteronomy – (The fifth book of old Testament of the Bible) Moses foretelling the coming of the Prophet said to his followers with reference to words of God spoken unto him "The Lord thy God will raise up unto thee a prophet from the midst of thee, of thy Brethren, like unto me, unto him ye shall hear;..... and the Lord said unto me, they have well spoken which they have spoken. I will raise them up a prophet from among their brethren, like unto thee, and will put my words into his mouth; and he shall speak unto them all that I shall command him.[2]

According to the above prophecy, it is the Prophet of Islam who fulfills the entire prerequisite conditions and qualifications of that prophet like unto Moses. He was a powerful and strong prophet like Moses and established God's sovereign authority on the earth. Both of them brought new laws for the mankind. There is no other prophet after Moses who can claim to have brought a new law for their people to live a peaceful life in the world. Nor

anyone from amongst the decedents of Abraham (Israelites) ever claimed to be prophet like Moses except the prophet of Islam. Ishmael and Isaac are sons of Abraham. The children of Isaac are called the Jews and those of Ishmael are known as Arabs, so they are brethren to one another. The Bible affirms the meaning ".....and he (Ishmael) shall dwell (in Arabia) in presence of all his brethren."[3]

The children of Isaac are brethren of the Ishmaelites. In the like manner Muhammad is from among the brethren of the Israelites because he was a descendant of Ishmael, the son of Abraham. The prophesy proceeds further as God says; "And I will put my words unto his (Muhammad's) mouth" No one claimed except the noble Prophet that words were put unto his mouth by God and he uttered them. This prophecy has also been affirmed by Quran in Surah Al-Najam. "And neither does he speak out of his own desire: that (which he conveys to you) is (but a divine) inspiration with which he is being inspired-something that a very mighty one has imparted to him."[4]

There is more explicit prophecy by Moses in the book of Deuteronomy "And he said, The Lord came form Sinai and rose up from Seir unto them; he shined forth from mount Paran (Faran / within Makkah) and he came with ten thousand of saints; from his right hand went a fiery law for them. Yea, he loved the people."[5]

This is the prophecy of prophet Moses just before the time he passed away from this world. In this prophecy there is reference to two events of historical importance. In the first incident at Sinai the prophet Moses was equipped with the necessary power that enabled him to destroy the evil forces of Pharaoh. The other unique event in the history of mankind refers to the prophet of Islam, when he marched with ten thousand of his companions to the Mount of Paran (Faran) and conquered the holy city of Makkah without any bloodshed. The concluding clause of this

prediction "from his right hand went a Fiery Law" (against evil forces) refers to the Holy Quran which is a divine law revealed to the Prophetof God. The facts referred to in this prediction speak themselves about the central figure of the unprecedented events which had changed the course of history with human strength according to the will of God. They are no other persons except the prophet Moses and the prophet Muhammad, who accomplished this divine mission.

Some Christian scholars believe that Jesus is the promised prophet according to the prophecy of Moses that "The Lord God will raise up for you a prophet like me from your brethren". This prophecy of Moses is not applicable to Jesus, because he is unlike Moses and Muhammad who were born in the normal and natural course and had father and mother while according to Gospel of St. Mathew 1:18 "She (Mary) was found with child (Jesus) by the holy Ghost" – he was not a human being. Moses and Muhammad married and begot children, but Jesus remained bachelor all his life. They established their kingdoms on earth and brought new Law for the people and enforced it, but Jesus declared: "My Kingdom is not this world" He said so in his defence when he was brought before the court of Roman Governor, Pontinus Pilate and was charged with sedition. He clarified his position stating; "My kingdom is not of this world, If my kingdom were of this world, then would my servants fight. That I should not be delivered to the Jews; but now is my kingdom not from hence."[6]

Beside this Jesus never and no where claimed himself to be like Moses. According to Christian scholars and common man Jesus is Christ and their God. Even some of the Christian scholars, with reference to expectation of the Jews, believe that Jesus was not the promised Messiah. Paula Fredriken Aurelio, professor of scripture of Boston University writes: "Like David, esteemed by tradition, the

Messiah will be someone in whom are combined the traits of courage, piety, military powers, justice, wisdom and knowledge of the Torah. The Prince of Peace must first be a man of war: his duty is to inflict final defeat on the forces of evil."[7]

Almost all the qualities stated above are applicable to the Prophet of Islam. But all the Jews do not accept Jesus even as a messenger. According to them he is not the promised Messiah, whereas Jesus is revered by the Muslims as the Messenger of God.

All these facts and circumstances indicate that Jesus was not like the Prophet Moses. Finally Quran confirms this prophecy that Muhammad is like unto Moses. It says: "Behold, (O men) We have sent unto you an apostle who shall bear witness to the truth before you, even as We sent an apostle unto Pharaoh."[8]

The Christians are aware of the fact that prophet Moses had been sent to Pharaoh. Reverend James L. Dow admits in Collins Dictionary of the Bible: "As statesman and law giver Moses is the greater of Jewish People. The only man of history who can be compared even remotely to him is Mahomet".[9]

The readers of scriptures were not feeling comfortable with the words "from among your brethren" so they have completely deleted these words in the later translations of the Bible in 1996 because the true import of these words denotes the coming of the Prophet from among the "Ishmaelites" who is no other person than Muhammad.

There is another reference in the Old Testament of the Bible which says: "God came from Teman and the Holy one from Mount Paran (Faran of Makkah). Se'lah. His glory covered the heavens, and the earth was full of praise (Hamd).[10]

om are combined the traits
vers, justice, wisdom and
ince of Peace must first be
ct final defeat on the forces

stated above are applicable
ne Jews do not accept Jesus
ng to them he is not the
Jesus is revered by the
d.

nstances indicate that Jesus
s. Finally Quran confirms
s like unto Moses. It says:
: unto you an apostle who
fore you, even as We sent

: of the fact that prophet
. Reverend James L. Dow
the Bible: "As statesman
ter of Jewish People. The
ompared even remotely to

ures were not feeling
among your brethren" so
hese words in the later
because the true import of
f the Prophet from among
person than Muhammad.

in the Old Testament of
rom Teman and the Holy
of Makkah). Se'lah. His
e earth was full of praise

Psalms:-

"Blessed are they that dwell in thy house; they will be still be praising thee. Se'lah. Blessed is the man whose strength is in thee; in whose heart are the ways of them who passing through the valley of Baca (Makkah) make it a well; the rain also filleth the pools."[11]

Song of Solomon:

King Solomon clearly describes the name of the Noble Prophet in one of his celebrated songs, original words of the song in Hebrew have been quoted by my learned teacher/professor Maulana Manazir Ahsan Gilani,head of department of Islamiat, Osmania university, in his book Nabi-ul-Khatim. There is an appropriate reference form song of Solomon in the Bible, in the original Hebrew; that contains the name of the noble prophet Muhammad.

'hikko mamittaqim wikullo muhammadim zehdudi wa zehrai baynot yerushalayim'

'His mouth is most sweet; yea, he is Muhammad (the praiseworthy, altogether lovely). This is my beloved, and this my friend, O daughters of Jerusalem.'[12]

The plural form for Muhammad is used to denote respect and majesty for the praised one. In Hebrew and Arabic Muhammad has the same meaning of "The Praised One". Singing the praise of Muhammad he gives further description: "My beloved is white and ruddy, chiefest among ten thousands.[13]

Kindly note the words chiefest among ten thousands. It is used in order to distinguish the figure of the Prophet Muhammad among his companions who were with him during his march to Makkah.

The New Testament

Prophecies of Jesus Christ:-

We have quoted several passages from the Bible in regard to the predictions of the prophets of the Old Testament. Here we reproduce the prophecy of Jesus whom Muslims honour as Messiah and believe that the Gospel (Injeel) was revealed to him. But one thing is to be noted about the present Bible as pointed out by the authors of Encyclopedia Britannica under the caption Bible (1973 edition): It is not, however, difficult for the reader of Scriptures to know the real meaning of the words spoken for the future guide of humanity as a "Comforter". The last speech of Jesus was translated into Greek by St. John from Aramic widely spoken in the days of Christ. Before his ascension, he gave a message to the whole world in Syriac language spoken by Jesus and the Palestinians. It remained as such for several centuries. The actual Greek word for the one who was to come after Jesus was "Parikilytos" which is synonymous of syriac word "Munhamanna" meaning "Hamad" in Hebrew and "Muhammad" in Arabic (The much praised one). This meaning is supported by Ibn-e-Hisham on the authority of Ibn-e-Ishaq who was conversant with syriac language which was the language of Palestine in his days as well."[14]

But later on, the translators of St. John's Gospel made some variations by substituting another Greek word "Peracletius" for "Pariclytos" as the redactors were feelin the latter word against their personal interpretation. The word "Peracletius" has several meanings. According to Encyclopedia of Biblical literature it is translated from Greek into English as consoler, comforter, advocate and teacher but in all authorized versions of the Bible, commonly known as the King James Version (KJV) the word "Comforter" is translated for "Peracletius" or "Paraclete". Assuming the meaning of this word is

comforter even then it is n
Comforter was no other
Muhammad according to o
by St. John in his Gospel:

Chapter 14 *of Gospel of St.*

Verse 16: "And I will
give you an
abide with yo

Verse 26: "But the C
Ghost, whon
name, he sh
bring all th
whatsoever I

Chapter 16 *of Gospel of St.*

Verse 7: Nevertheless
expedient for
not away, the
you; but if I
you.

Verse 12: I have yet m
ye cannot bea

Verse 13: Howbeit wh
come, he will
shall not spe
he shall hear,
shew you thi

Verse 14: He shall glor
mine, and sha

Verse 16: Addressing
ascension Je
give you an
abide with yo

comforter even then it is not difficult to ascertain that the Comforter was no other noble soul than the Prophet Muhammad according to own words of Jesus as narrated by St. John in his Gospel:

Chapter 14 *of Gospel of St. John (KJV Bible)*

Verse 16: "And I will pray the Father, and He shall give you another Comforter, that he may abide with you for ever"

Verse 26: "But the Comforter, which is the Holy Ghost, whom the Father will send in my name, he shall teach you all things, and bring all things to your remembrance, whatsoever I have said unto you":

Chapter 16 *of Gospel of St. John*

Verse 7: Nevertheless I tell you the truth; it is expedient for you that I go away for; if, I go not away, the Comforter will not come unto you; but if I depart, I will send him unto you.

Verse 12: I have yet many things to say unto you, but ye cannot bear them now.

Verse 13: Howbeit when he, the Spirit of truth, is come, he will guide you unto all truth: for he shall not speak of himself; but whatsoever he shall hear, that shall he speak: and he will shew you things to come.

Verse 14: He shall glorify me: for, he shall receive of mine, and shall shew it unto you.

Verse 16: Addressing his disciples before his ascension Jesus says: "And He (God) shall give you another Comforter", that he may abide with you forever.

"Another Comforter" means other than Jesus because the first comforter according to Christian's belief is Jesus himself. Jamal Badawi, a well known scholar says: "all the criteria of coming Comforter or Paraclete according to the Prophecy of Christ is fulfilled only by the Prophet Muhammad such as: he testified Jesus, talked new things which could not to be born at Jesus time, he spoke what he heard (Revelation) and he shall abide with you for ever means he will dwell physically throughout his life with his believers and thereafter through his well preserved teachings, that is, the Quran and Sunnah which are real guide in all walks of life of men and women throughout the world."[15]

In verse 26, chapter 14 of St. John's Gospel, the word "Comforter" means the "Holy Ghost" whom the father will send in my name. Here the Greek Word "Pneuma" is translated into English as the Holy Ghost. The word Ghost according to the "New Oxford Dictionary of English means "Image of a person appearing to haunt the living but not actually existing." So the word "Ghost" appears absurd to the reader when attributed to the first comforter (Jesus) and to the coming one. Therefore the modern translators of the Bible changed the word "Ghost" and replaced it with the new word "Spirit". However the word "Holy Ghost" or "Holy Spirit" is interpolation on the very face of it. Mr. Maurice Bucaille, the learned author of "The Bible, The Quran and Science" has interpreted the word "Ghost" in his book as under:

"If the words 'Holy Spirit' (to pneuma to agion) are omitted from the passage, the complete text of John then conveys a meaning which is perfectly clear"..... According to John, when Jesus says in chapter 14, Verse 16: "And I will pray the Father, and He will give you another Paraclete", what he is saying is that another

intercessor will be sent to man, as He Himself was at God's side on man's behalf during His earthly life."

"According to the rules of logic therefore, one is brought to see in John's "Paraclete" a human being like Jesus, possessing the faculties of hearing and speech formally implied in John's Greek text. Jesus therefore predicts that God will later send a human being to Earth to take up the role defined by John, i.e. to be a prophet who hears God's word and repeats His message to man. This is the logical interpretation of St. John's text arrived at if one attributes to the words their proper meaning."[16]

As a matter of fact all the four Gospels are not eye witness account. The earliest Gospel of Mark was handed down from 65 to 70 A.D of Christian era. A reader of all four Gospels will find contradictions, variations and changes in the text, as stated by the authors of Encyclopadia referred to above. Excluding variations and changes Muslims believe in both the Old and New Testaments as revealed books. So the prophecy of Christ for the coming Prophet Muhammad is to be accepted because he appeared as the living embodiment of all characteristics described in the predictions of the Bible which is testified by noble Quran.

We would like to conclude this chapter with remarkable observation of a learned Christian scholar Tor Andrae in his book "Mohammaed", who had deeply studied the Bible and also had read the life of the Prophet of Islam. After analytical study of Christian psyche, he says: "If we would be fair to him (Mohammad) we must not forget that consciously or unconsciously, we Christians are inclined to compare Mohammad with the unsurpassed and exalted figures whom we meet in the Gospels."[17]

MUHAMMAD PEACE BE UPON HIM

In Ancient Religious Books other than the Bible:

Zoroaster's Prophecy In Pazand:-

There are similar prophecies like Judo-Christian scriptures in ancient books of other religions with respect to coming of the last Prophet Muhammad. One of the ancient religious book is Avasta. In the new language it is called Pazand which is stated to have been revealed to Zoroaster (628BC – 551BC) who is acclaimed as Prophet by the Parsis."

So Says Zoroaster:

In clear terms, Zoroaster says in Avesta: "I have not perfected the religion. Another Prophet will come after me and he will perfect this religion; his name will be "Mercy for the entire universe".[18] This reminds one of the Qur'anic verses in which Muhammad has been so called (Al Qur'an 21:107).

In Hindu's Religious Books:

In India, Hindus believe in Vedas, Puranas and Upanishads which are their oldest holy books. In one of ten Puranas it is stated: "In the final epoch a man will be born in a desert. His mother's name will be reliable (Amina), his fathers name will be slave of God (Abdullah). He will be obliged to move north from his country and settle there. He will then conquer his own country (from where he was forced to migrate) with the help of ten thousand men, several-fold. In the battle his chariot will be drawn by camels and they will be so swift that they will soar to the skies.[19] This refers to ascension of Holy Prophet, which is known as 'Mairaj'.

Owing to the passage of time, there may be some variations in translations of the aforesaid books from time to time.

All the above pas
great religious books of t
the coming of the last Pro

In this chapter, r
given from the direct so
from English version of
which may be verifie
satisfaction if one desire
be true then honesty, goo
the believers of those boo

E BE UPON HIM

other than the Bible:

d:-

ecies like Judo-Christian
er religions with respect to
mmad. One of the ancient
new language it is called
been revealed to Zoroaster
aimed as Prophet by the

ays in Avesta: "I have not
rophet will come after me
his name will be "Mercy
minds one of the Qur'anic
been so called (Al Qur'an

in Vedas, Puranas and
holy books. In one of ten
epoch a man will be born
l be reliable (Amina), his
d (Abdullah). He will be
untry and settle there. He
ry (from where he was
of ten thousand men,
ariot will be drawn by
hat they will soar to the
Holy Prophet, which is

me, there may be some
oresaid books from time

All the above passages from prophecies in all the great religious books of the world indicate that they refer to the coming of the last Prophet Muhammad.

In this chapter, most of the references have been given from the direct source, that is, from the Bible and from English version of religious books of other religions, which may be verified conveniently for the sake of satisfaction if one desires so. If those prophecies found to be true then honesty, good faith and fair play demand from the believers of those books to accept the truth.

References Chapter I

Mohammad in the Bible

1. Genesis, 21:18
2. Deuteronomy, 18: 15-17-18
3. Genesis, 16:12
4. The Message of the Quran by Mohammad Asad, 53:3 to 5
5. Deuteronomy, 33:2-3
6. St. John, 18:36
7. Newsweek March 28, 2005-page 46
8. The Message of the Quran by Mohammad Asad, 73:15
9. Collins Dictionary of the Bible. Moses
10. Habakkuk, 111:3 of the Holy Bible (K.J.V)
11. Psalms, 84:4 to 6
12. Song of Solomon From original Bible Tanakh, page 37
13. Song of Solomon, 5:10 of the Holy Bible (K.J.V)
14. The Meaning of Quran By S.Abul A'ala Mandudi Vol 5, Page 502
15. Renaissance June 2005 Pubbcation of Mawrid, page 51
16. The Bible The Quran And Science by Maurice Bucaille, page 105-106
17. Mohammad by To Andrea, page 269
18. The Emergence of Islam by Dr. Muhammad Himidullah, page 5
19. Ibid, page 5

CHAPT

Muhammad, Peac

In The Eyes of Non-Muslim

Followers of Islam have and affection for their Noble for him can hardly be describ say or write about him may Muslims to be an exaggerati regard to his person and his li the learned and distinguish religions, then this could be c in the opinion of people of th therefore, present the universa Islam, as depicted by renown historians, authors, philosoph temporal leaders of the world.

About 200 years ago philosopher and unbiased courageous enough to frankly its contemptuous attitude to famous book *On Heroes, Her History*.

He had not only di medieval prejudices of his Islam, but highlighted his Prophet.

Here we reproduce a Prophet from the title *Islam* written by the eminent autho writes:

"Muhammad, the inspired m born about A.D. 570 into an

to 5

, Page 502

page 105-106

. page 5

CHAPTER II

Muhammad, Peace Be Upon Him

In The Eyes of Non-Muslim Luminaries of The World

Followers of Islam have such immense respect, love and affection for their Noble Prophet, that their reverence for him can hardly be described in words. Whatever they say or write about him may be deemed by some non Muslims to be an exaggeration. But, if the evidence in regard to his person and his life, is found in statements of the learned and distinguished personalities of other religions, then this could be considered worthy testimony, in the opinion of people of the same religious order. We, therefore, present the universal personage of the Prophet of Islam, as depicted by renowned non Muslim intellectuals, historians, authors, philosophers, generals, spiritual and temporal leaders of the world.

About 200 years ago Thomas Carlyle, political philosopher and unbiased historian of England, was courageous enough to frankly admit the fault of Europe for its contemptuous attitude towards the Prophet, in his famous book *On Heroes, Hero-Worship, and the Heroic in History.*

He had not only dispelled the misgivings and medieval prejudices of his people about the Prophet of Islam, but highlighted his dignified person as a hero Prophet.

Here we reproduce a brief life sketch of the Noble Prophet from the title *Islam the Misunderstood Religion*, written by the eminent author, Mr. James A. Michener. He writes:

"Muhammad, the inspired man who *founded Islam*[O], was born about A.D. 570 into an Arabian tribe that worshipped

idols. Orphaned at birth, he was always particularly solicitous of the poor and needy, the widow and the orphan, the slave and the downtrodden. At twenty, he was already a successful businessman, and soon became director of camel caravans for a wealthy widow. When he reached twenty-five, his employer, recognizing his merit, proposed marriage. Even though she was fifteen years older, he married her, and as long as she lived, remained a devoted husband."

"Like almost every major prophet before him, Muhammad fought shy of serving as the transmitter of God's word, sensing his own inadequacy. But the angel commanded 'Read.' So far as we know, Muhammad was unable to read or write, but he began to dictate those inspired words which would soon revolutionize a large segment of the earth: 'There is one God.'

"In all things Muhammad was profoundly practical. When his beloved son Ibrahim died, an eclipse occurred, and rumours of God's personal condolence quickly arose. Whereupon Muhammad is said to have announced, 'An eclipse is a phenomenon of nature. It is foolish to attribute such things to the death or birth of a human being.'

"At Muhammad's own death an attempt was made to deify him, but the man who was to become his administrative successor killed the hysteria with one of the noblest speeches in religious history: 'If there are any among you who worshipped Muhammad, he is dead. But if it is God you worshipped, He lives forever.'"[1]

Carlyle: The Hero As A Prophet

Some of the amazing aspects of the Prophet's life addressed by Carlyle are worthy of consideration. He begins by mentioning the state of the Arabs:

"They were wild men, bursting
into all kinds of fierce sincerit
manhood, no man could have
called him Prophet, you say? W
face with them; bare, not enshri
clouting his own cloak, cobblin
counselling, ordering in the mid
seen what kind of a man he was
like! No emperor with his tiaras
a cloak of his own clouting. Du
of rough actual trial. I find son
necessary for that, of itself...." H

"...In one of Goethe's Delineat
is, the hero comes upon a Societ
ways, one of which was this
Master, ""that each of our peop
one direction," shall go right
matter, and make himself do th
"should we allow him the gre
sides." There seems to me a grea
things which are pleasant; that
reducing of our moral self to sla
man assert withal that he is king
could and would shake them off,
excellent law."[2]

**Gibbon: "He brought down up
Heaven"**

Edward Gibbon (1737-1
of the 18th century, writes:

"I believe in one God and
God: is the simple and invariabl
intellectual image of the Deity h
any visible idol; the honour o
transgressed the measure of hum

"They were wild men, bursting ever and anon into quarrel, into all kinds of fierce sincerity; without right worth and manhood, no man could have commanded them. They called him Prophet, you say? Why, he stood there face to face with them; bare, not enshrined in any mystery; visibly clouting his own cloak, cobbling his own shoes; fighting, counselling, ordering in the midst of them: they must have seen what kind of a man he was, let him be called what you like! No emperor with his tiaras was obeyed as this man in a cloak of his own clouting. During three-and-twenty years of rough actual trial. I find something of a veritable Hero necessary for that, of itself...." He further says:

"...In one of Goethe's Delineations, in Meister's Travels it is, the hero comes upon a Society of men with very strange ways, one of which was this: "We require," says the Master, ""that each of our people shall restrict himself in one direction," shall go right against his desire in one matter, and make himself do the thing he does not wish, "should we allow him the greater latitude on all other sides." There seems to me a great justness in this. Enjoying things which are pleasant; that is not the evil: it is the reducing of our moral self to slavery by them that is. Let a man assert withal that he is king over his habitudes; that he could and would shake them off, on cause shown: this is an excellent law."[2]

Gibbon: "He brought down upon earth, the Kingdom of Heaven"

Edward Gibbon (1737-1794), an English historian of the 18th century, writes:

"I believe in one God and Mahomet, the Apostle of God: is the simple and invariable profession of Islam. The intellectual image of the Deity has never been degraded by any visible idol; the honour of the prophet has never transgressed the measure of human virtues; and his living

precepts have restrained the gratitude of his disciples within the bounds of reason and religion."

"It is not the propagation but the permanency of his religion that deserves our wonder; the same pure and perfect impression which he engraved at Mecca and Madina is preserved, after the revolution of twelve centuries by the Indian, the African and the Turkish proselytes of the Koran. The Mahomentans have uniformly withstood the temptation of reducing the object of their faith and devotion to a level with the senses and imagination of man." [3]

Comparing the achievements of Muhammad, and Jesus, this great historian has very rightly observed:

"Through Islam, Muhammad banished from the Arab within ten years their hard heartedness, spirit of revenge, anarchy, female degradation, rivalry, lawlessness, usury, drunkenness, infanticide, murderous quarrel and human sacrifice as well as all stupid superstitions and fetishes. Through that religion he brought down upon this earth the Kingdom of Heaven so fondly coveted by Jesus."[4]

Voltaire "Extraordinary Revolution"

Francois Voltaire (1694-1778) is contemporary of Edward Gibbon, and one of the most famous French authors. He was a courageous fighter against tyranny, bigotry and cruelty of the rulers and clergy. He is master of critical analysis, wit and satire. In his historical work he frankly spoke against papal intolerance, but appreciated progressive measures of Islamic movement, an appreciation which resulted in many problems for him. Warrants of arrest were issued against him for his revolutionary and alleged heretical writings. He was forced to flee from France to England, where Gibbon had attended Voltaire meetings.

"Voltair defended Muhamma
L'esprit des Nations as a p
<u>founder</u> of a rational religion
polity had always been m
tradition."[5]

Note: Founder is misnomer
Islam is a continuation of all
The meaning of Islam is to su
may be born in mind that Volt
compliments to the Prophet of
adverse remarks against him,
embarked upon a deeper study

Voltaire has further observed
Smith:

"The turn of Arabia came,
struck when the most comple
most extra ordinary revolution
nation upon earth" [6]

Napoleon: "We are Muslims"

Napoleon Bonaparte (1
of France who dissolved the
the ruler of the whole Contin
much impressed by the univer
of Islam, and considered him
world. In Egypt he visited
discussed 'Voltaire's Muhamm
scholars there. In Alexandria,
Sommes les vrais musulmans."
declaration was made when I
power.

He prepared the Code
the Compendium of the Islamic
Napoleon is still the basis o

e of his disciples within

the permanency of his
r; the same pure and
graved at Mecca and
revolution of twelve
ican and the Turkish
mentans have uniformly
ing the object of their
with the senses and

Muhammad, and Jesus,
bserved:

nished from the Arab
lness, spirit of revenge,
lry, lawlessness, usury,
us quarrel and human
perstitions and fetishes.
own upon this earth the
ted by Jesus."[4]

lon"

78) is contemporary of
most famous French
ighter against tyranny,
d clergy. He is master of
n his historical work he
erance, but appreciated
ovement, an appreciation
s for him. Warrants of
r his revolutionary and
as forced to flee from
n had attended Voltaire

"Voltair defended Muhammad in his book *Les Moeurs et L'esprit des Nations* as a profound political thinker and founder of a rational religion. He pointed out that Muslim polity had always been more tolerant than Christian tradition."[5]

Note: Founder is misnomer for the Prophet Mohammed. Islam is a continuation of all divine revelations of the past. The meaning of Islam is to surrender to the will of God. It may be born in mind that Voltaire and a few other who paid compliments to the Prophet of Islam had earlier made some adverse remarks against him, but those were before they embarked upon a deeper study of the Prophet's life.

Voltaire has further observed as quoted by R. Bosworth Smith:

"The turn of Arabia came, when the hour had already struck when the most complete, the most sudden and the most extra ordinary revolution that has ever come over any nation upon earth" [6]

Napoleon: "We are Muslims"

Napoleon Bonaparte (1769-1821) was the Emperor of France who dissolved the Roman Empire and became the ruler of the whole Continent of Europe. He was very much impressed by the universal personage of the Prophet of Islam, and considered him the great law giver of the world. In Egypt he visited Al-Azhar University and discussed 'Voltaire's Muhammad' with the learned Muslim scholars there. In Alexandria, he publicly declared: *"Nous Sommes les vrais musulmans." (We all are Muslims).*[7] This declaration was made when he was at the zenith of his power.

He prepared the Code of Napoleon after examining the Compendium of the Islamic Legal System. The Code of Napoleon is still the basis of French Law. The British

drafted the Indian Panel Code, in 1860, almost on the same pattern of the Napoleon Code.

Napoleon saluted the Prophet of Islam with a deep sense of admiration.

"I salute this great leader."

Napoleon further observed: "Muhammad, in reality was a great leader of mankind. His followers conquered half of the world in a short time, and the discipline which they maintained under his leadership was simply marvelous, and so was their bravery, courage and devotion to the cause which they loved and cherished. This, coupled with the contempt for death as taught by their leader, made them great soldiers and fighters, the like of whom history rarely produces. I simply marvel at the achievement of this Son of the Desert within a period of only 15 years – a thing which Moses and Christ could not do in fifteen hundred years. I salute this great man; I salute his qualities of head and heart."[8]

Napoleon Compares Judaism and Christianity with Islam: "The Last Religion."

"Moses has revealed the existence of God to his nation, Jesus Christ to the Roman world, Muhammad to the old continent – Arabia was idolatrous when, six centuries after Jesus, Muhammad introduced the worship of the God of Abraham, of Ishmael, of Moses, and of Jesus – Muhammad declared that there was none but one God, Trinity imported the idea of idolatry."[9]

Napoleon's "Greater Plan"

"I hope the time is not far off when I shall be able to unite all the wise and educated men of all the countries, and establish a uniform regime based on the principles of the Quran, which alone are true, and which alone can lead men to happiness."[10]

The Last Days of Napoleon

Emil Ludwig, the biograph
that this great General was speaking
religion of Islam to those around hi
death.

Goethe Johan (1749-1832) "The H

Goethe, of Germany, a many
acknowledged as a world figure. H
the literary treasure for all who
common good of humanity. *West-ös*
East and West) is his outstanding c
West with the East. He was a natur
first statesmen of Europe who f
courage against all sorts of slanderc
soul of the Prophet of Islam. He ne
Prophet as the founder of the fines
him to be the most truthful Proph
poems, he has compared the life of t
an eternal mighty stream flowing c
love and mercy on the whole of man

Goethe, in *Wilhelm Meister*
that the Noble Prophet, as *the herc*
the world to protect the people f
Carlyle has referred to this passage
Hero-Worship, and the Heroic in Hi

Dr. Samuel Johnson (1709 –
Thoroughly Democratic:-

"Political life of Muhar
democratic: says Dr. Samuel J
Lexicographer, writer, critic
conversationalist and leading figure
the 18th Century. During his lit
religion and politics he remarked a

The Last Days of Napoleon

Emil Ludwig, the biographer of Napoleon, writes that this great General was speaking of his preference of the religion of Islam to those around him three days before his death.

Goethe Johan (1749-1832) "The Hero of Humanity"

Goethe, of Germany, a many sided genius, has been acknowledged as a world figure. His writings opened up the literary treasure for all who are interested in the common good of humanity. *West-östlicher Divan (Divan of East and West)* is his outstanding contribution to unite the West with the East. He was a natural philosopher, and the first statesmen of Europe who fought with undaunted courage against all sorts of slanderous attacks on the noble soul of the Prophet of Islam. He never ceased to praise the Prophet as the founder of the finest culture, and believed him to be the most truthful Prophet. In one of his best poems, he has compared the life of the Noble Prophet, with an eternal mighty stream flowing continuously, bestowing love and mercy on the whole of mankind.

Goethe, in *Wilhelm Meister's Travels*, pointed out that the Noble Prophet, as *the hero of humanity*, came to the world to protect the people from the axis of evil. Carlyle has referred to this passage in his book *On Heroes, Hero-Worship, and the Heroic in History.*

Dr. Samuel Johnson (1709 – 84) "Muhammad" Thoroughly Democratic:-

"Political life of Muhammad is thoroughly democratic: says Dr. Samuel Johnson, the English Lexicographer, writer, critic and outstanding conversationalist and leading figure of literary London of the 18th Century. During his literary discourse about religion and politics he remarked about the Prophet: "His

purely historical character, his simple humanity, claiming to be a man among men, his intense realism avoiding all mystical remoteness, the thoroughly democratic and universal form under which his idea of divine monarchy led him to conceive the relations of man, the force of ethical appeal, all affiliate Muhammad with the modern world"[10-A]

Muhammad – Founder of League of Nations:-

Professor Hurgronje writes: "The league of nations founded by the Prophet of Islam put the principles of international unity and human brotherhood on such universal foundations as to show candle to other nations." He continues; "The fact is that no nation of the world can show a parallel to what Islam has done towards the realization of the idea of the League of Nations. The world has not hesitated to raise to divinity of individuals whose lives and missions have been lost in legend. Historically speaking, none of these legends achieved even a fraction of what Muhammad accomplished. And all his striving was for the sole purpose of uniting mankind for the worship of One God on the codes of moral excellence. Muhammad (PBUH) or his followers never at any time claimed that he was a son of God or the God incarnate or a man with divinity – but he always was and is even today considered as only a Messenger chosen by God.[10-B]

R Bosworth Smith: Sublime Status of the Prophet

R. Bosworth Smith, a renowned writer and author, writes about the status of the Noble Prophet:

"It was Muhammad, who was head of the State as well as of the Church, he was Caesar and Pope in one: but he was a Pope without the Pope's pretensions, and Caesar without the legions of Caesar. Without a standing army, without a bodyguard, without the palace, without a fixed revenue, if ever any man had the right to say that he ruled by a right

Divine, it was Muhammad,
its instruments and without

Lane Poole on *Jihad*

Lane Poole a wel
writes about *jihad* in Islam

"Why have so many mil
Islam and scarcely a hun
attempted to explain the
Islam by the argument of
laconic reply. First get yo
hearts before you can indu
you."[12]

De Lacy O'Leary, Absur

Eminent historian,

"History makes it clear
fanatical Muslims sweepi
Islam at the point of the s
of the most fantastically
ever repeated."[13]

Mahatma Gandhi on Isl

Mahatma Gandl
nationalist Leader of Indi
know the best of the life
sway over the hearts o
more than ever convinc
won a place for Islam in
was rigid simplicity,
Prophet, the scrupulou
devotion to his friends
fearlessness, his absolu
mission. Those and not
them and surmounted ev

le humanity, claiming
e realism avoiding all
;hly democratic and
of divine monarchy led
n, the force of ethical
the modern world"[10-A]

of Nations:-

'The league of nations
put the principles of
rotherhood on such
ndle to other nations."
ation of the world can
as done towards the
of Nations. The world
of individuals whose
n legend. Historically
eved even a fraction of
d all his striving was
ind for the worship of
xcellence. Muhammad
y time claimed that he
arnate or a man with
even today considered
0-B

of the Prophet

ned writer and author,
rophet:

of the State as well as
be in one: but he was a
s, and Caesar without
nding army, without a
out a fixed revenue, if
at he ruled by a right

Divine, it was Muhammad, for he had all the power without its instruments and without its supports".[11]

Lane Poole on *Jihad*

Lane Poole a well known scholar and historian writes about *jihad* in Islam:

"Why have so many millions embraced the religion of Islam and scarcely a hundred ever recanted? Some have attempted to explain the first overwhelming success of Islam by the argument of the Sword. They forget Carlyle's laconic reply. First get your sword. You must win men's hearts before you can induce them to imperil their lives for you."[12]

De Lacy O'Leary, Absurd Myths About *Jihad*;

Eminent historian, De Lacy O'Leary, observed:

"History makes it clear, however, that the legend of fanatical Muslims sweeping through the world and forcing Islam at the point of the sword upon conquered races is one of the most fantastically absurd myths that historians have ever repeated."[13]

Mahatma Gandhi on Islam and *Jihad*

Mahatma Gandhi (1869-1948), the renowned nationalist Leader of India, writes about *jihad*: "I wanted to know the best of the life of one who holds today undisputed sway over the hearts of millions of mankind. I became more than ever convinced that it was not the sword that won a place for Islam in those days in the scheme of life. It was rigid simplicity, the utter self-effacement of the Prophet, the scrupulous regard for pledges, his intense devotion to his friends and followers, his intrepidity, his fearlessness, his absolute trust in God and in his own mission. Those and not the sword carried everything before them and surmounted every obstacle."[14]

K. S. Ramakrishna Rao on: "The Perfect Model For Human Life"

K. S. Ramakrishna Rao, an Indian professor of Philosophy, in his book *Muhammad, the Prophet of Islam*, calls him the "Perfect model for human life. In all his magnificent role and in all departments of humanity he is a hero".[15]

Meredith Townsend on Muhammad, The Educator

Meredith Townsend, a prominent British author of the mid to late 1800's, writes in his book *Mahommed the Great Arabian*:

"Muhammad was a more thorough educator than the modern reformers whose libertarian teachings during the inter-war period in Europe could not measure up to the task of preventing tyranny and war." He further writes: "....Under Muhammad....there sprang up *ex necessitate rei*, a form of democratic equality more absolute than any the world has elsewhere."

In the 20th Century, in spite of scientific conquests, and the advancement of secular theories by materialist thinkers, the human intellect has the same praiseworthy admiration for the Prophet of Islam, and his noble mission for mankind. What follows are some remarks from authors and thinkers of the present age.

H.G. Wells – The Gift of Light and Power

H.G. Wells (1866-1946) who is known as visionary of science, despite his antagonism against the religion of Islam, writes about the impact of the teachings of the Prophet of Islam,

"From a new angle and with a fresh vigour, Islam took up that systematic development of positive knowledge which the Greeks had begun and relinquished. If the Greek was the father, then the Arab was the foster-father of the

scientific method of dealing with
absolute frankness, the utmost sin
explanation, exact record and exha
the Arabs it was, and not by t
modern world received that gift of

George Bernard Shaw and Islan

George Bernard Shaw (1
significant British playwright si
winner of the Nobel Prize for Lit
are permeated by his passion for
peculiar style, George Bernard
and the Prophet of Islam,

"If any religion had the chance o
Europe within the next hundred y

"I have always held the religio
estimation because of its wonde
religion which appears to me t
capacity to the changing phas
make itself appeal to every age
wonderful man and in my opin
Christ, he must be called the Sav

"I believe that if a man like
dictatorship of the modern w
solving its problems in a way th
needed peace and happiness: I
faith of Muhammad that it w
Europe of tomorrow as it is be
the Europe of today."[17]

Karen Armstrong on Muham

Karen Armstrong born
the Catholic Church. She is Pre
of religions in Oxford. Recen
well-researched book, *Muhan*

"The Perfect Model For

, an Indian professor of
nad, the Prophet of Islam,
or human life. In all his
ments of humanity he is a

mad, The Educator

ominent British author of
his book *Mahommed the*

ough educator than the
ian teachings during the
ot measure up to the task
r." He further writes:
prang up *ex necessitate*
more absolute than any

e of scientific conquests,
theories by materialist
the same praiseworthy
n, and his noble mission
ne remarks from authors

d Power

o is known as visionary
against the religion of
f the teachings of the

h vigour, Islam took up
itive knowledge which
shed. If the Greek was
e foster-father of the

scientific method of dealing with reality, that is to say, by absolute frankness, the utmost simplicity of statement and explanation, exact record and exhaustive criticism. Through the Arabs it was, and not by the Latin route, that the modern world received that gift of light and power."[16]

George Bernard Shaw and Islam

George Bernard Shaw (1856-1950) was the most significant British playwright since the 17th century, and winner of the Nobel Prize for Literature in 1925. His plays are permeated by his passion for social reform. In his own peculiar style, George Bernard Shaw writes about Islam and the Prophet of Islam,

"If any religion had the chance of ruling over England, nay Europe within the next hundred years, it could be Islam."

"I have always held the religion of Muhammad in high estimation because of its wonderful vitality. It is the only religion which appears to me to possess that assimilating capacity to the changing phase of existence which can make itself appeal to every age. I have studied him - the wonderful man and in my opinion far from being an anti-Christ, he must be called the Savior of Humanity."

"I believe that if a man like him were to assume the dictatorship of the modern world he would succeed in solving its problems in a way that would bring it the much needed peace and happiness: I have prophesied about the faith of Muhammad that it would be acceptable to the Europe of tomorrow as it is beginning to be acceptable to the Europe of today."[17]

Karen Armstrong on Muhammad and Jesus

Karen Armstrong born in 1944 is a former nun of the Catholic Church. She is Professor of comparative study of religions in Oxford. Recently in her well-written and well-researched book, *Muhammad, A Biography of the*

Prophet, comparing the life of the Jesus and Muhammad, peace be upon them both, she writes:

"In contrast to Muhammad, we know very little about Jesus. The earliest Christian writer was St. Paul, who dispatched his first epistle some twenty years after Jesus' death. Paul, however, had no interest in Christ's earthly life but concentrated almost entirely on the spiritual meaning of his death and resurrection. Later, in the gospels, the evangels drew on the oral tradition which dwelt more than he on Jesus' life in Palestine and recorded his words. Mark, he first, wrote about forty years after Jesus' death in the seventies; Mathew and Luke wrote during the eighties and John in about 100 CE. But these gospel accounts are quite different form the early biographies of Muhammad by the Arab historians..... Muslims have evolved a symbolic devotion to Muhammad, but indeed he is a very human figure in the early histories. Muhammad is more like the colourful figures of the Jewish scriptures – Moses, David, Solomon, Elijah or Isaiah."[18]

Jules Masserman on the Greatest Leader of All Time

Jules Masserman a well known modern psychoanalyst of the United States, after critical study of the most influential leaders of the world, has laid down a criterion for assessment of greatness of leadership.

According to his analytical view:

"Leaders must fulfill three functions – provide for the wellbeing of the led, provide a social organization in which people feel relatively secure, and provide them with one set of beliefs. People like Pasteur and Salk are leaders in the first sense. People like Gandhi and Confucius, on one hand, and Alexander, Caesar and Hitler on the other, are leaders in the second and perhaps the third sense. Jesus and Buddha belong in the third category alone. Perhaps the

greatest leader of all times was Mohammed. To a lesser degree Moses did the same." [19]

One is profoundly astonished to see that two hundred years ago in the 18th century, it was Thomas Carlyle who placed Muhammad, as the Hero of all the great Prophets, and in the 20th century, which is the age of reason and science, an American psychoanalyst acknowledged him as the greatest leader of all times, after comparing him with Alexander, Caesar, Gandhi and Confucius, even with Buddha, Jesus and Moses.[20]

Michael H. Hart on the Most Influential Person in History

Similarly, in recent years Michael H. Hart ranked the Noble Prophet, at number one in his list of the one hundred most influential persons of the world who changed the course of history. He writes:

"My choice of Muhammad to lead the list of the world's most influential persons may surprise some readers and may be questioned by others, but he was the only man in history who was supremely successful on both the religious and secular levels. Of humble origins, Muhammad founded and promulgated one of the world's great religions, and became an immensely effective political leader. Today, thirteen centuries after his death, his influence is still powerful and pervasive....The Bedouin tribesmen of Arabia had a reputation as fierce warriors. But their number was small; and plagued by disunity and internecine warfare, they had been no match for the larger armies of the kingdoms in the settled agricultural areas to the north. However, unified by Muhammad for the first time in history, and inspired by their fervent belief in the one true God, these small Arab armies now embarked upon one of the most astonishing series of conquests in human history....In fact, as the driving force behind the Arab

conquests, he may well rank as the most influential political leader of all time...Nothing similar had occurred before Muhammad, and there is no reason to believe that the conquests would have been achieved without him....We see, then, that the Arab conquests of the seventh century have continued to play an important role in human history, down to the present day. It is this unparalleled combination of secular and religious influence which I feel entitles Muhammad to be considered the most influential single figure in human history."[21]

The quotes *ante* are only a few of those published by notable Western authors.

We could not quote the opinions of thousands of non Muslim authors, scientists, statesmen, and political thinkers of all walks of life who have also show respect to the Noble Prophet of Islam, as it was not possible to reproduce their observations in this short book. However, what follows are statements of some of those who have embraced Islam after being raised as non-Muslims.[22]

Lamatrine – "Is there any greater man than he?"

At the end of this chapter, we would like to reproduce the tremendous challenge by a distinguished non Muslim French historian, Lamatrine: Is there any greater man than Muhammad? Here is the challenge in his own words.

"If greatness of purpose, smallness of means, and astounding results are the three criteria of human genius, who could dare to compare any great man in modern history with Muhammad? The most famous men created arms, laws and empires only. They founded, if anything at all, no more than material powers which often crumbled away before their eyes. This man moved not only armies, legislations, empires, peoples and dynasties, but millions of men in one-third of the then inhabited world; and more

nost influential political
ır had occurred before
on to believe that the
ved without him....We
of the seventh century
role in human history,
paralleled combination
which I feel entitles
nost influential single

ew of those published

of thousands of non
, and political thinkers
w respect to the Noble
ble to reproduce their
ever, what follows are
e embraced Islam after

ıan than he?"

, we would like to
y a distinguished non
Is there any greater
challenge in his own

ss of means, and
ia of human genius,
eat man in modern
famous men created
ınded, if anything at
ıich often crumbled
ed not only armies,
ıasties, but millions
ed world; and more

than that, he moved the altars, the gods, the religions, the ideas, the beliefs and souls. . . his forbearance in victory, his ambition, which was entirely devoted to one idea and in no manner striving for an empire; his endless prayers, his mystic conversations with God, his death and his triumph after death; all these attest not to an imposture but to a firm conviction which gave him the power to restore a dogma. This dogma was twofold, the unity of God and the immateriality of God; the former telling what God is, the latter telling what God is not; the one overthrowing false gods with the sword, the other starting an idea with words."

"Philosopher, orator, apostle, legislator, warrior, conqueror of ideas, restorer of rational dogmas, of a cult without images; the founder of twenty terrestrial empires and of one spiritual empire, that is Muhammad. As regards all standards by which human greatness may be measured, we may well ask, is there any man greater than he?"[23]

This is a challenge for all, for the whole world and for all the times, but no one would dare to say yes in answer to this challenge until the end of time. However the only answer to this challenging question by reason and logic would always be a resounding "No."

The above statements of some of the great non Muslim personalities of the world about the Prophet of Islam, testifying that he is the greatest leader of humanity and true Prophet of mankind, could not be procured by any temptation, bribe or threat. These are expressions of free and sincere minds without any fear or favour. We hope that the above evidence about the Prophet of Islam, may inspire those who are unfamiliar with Islam, to come out of polemics and malicious propaganda against the Noble Prophet, and to follow in his footsteps to live in peace with God, themselves, and with their neighbours.

References Chapter II

1. "Islam: The Misunderstood Religion", by James A. Michener. Reader's Digest, pp. 68-70, May 1955.
2. On Heroes, Heor-Worship, and the Heroic in History, Thomas Carlyle, page 86.
3. History of the Saracen Empire, Edward Gibbon and Simon Ockley, London, 1870, page 48.
4. The Glory of Muhammad, peace be upon him, published by Seerat International Centre Pakistan, page 70.
5. Muhammad, A Biography of the Prophet, Karn Armstrong, page 36.
6. The Glory of Muhammad, Peace be Upon Him, Published by Seerat International Centre Pakistan, page 58.
7. Muhammad, A Biography of the Prophet, Karn Armstrong, page 38.
8. The Glory of Islam, published by Seerat International Research Centre, Islamabad, page 35.
9. Bonaparte et L'Islam, Cherfils, Paris, pp. 105-125.
10. Ibid.

10-A. Glory of Muhammad, Published by Seerat International Research Centre, Islamabad, page 56

10-B. Al-Dawwa, July 2004, p 48.

11. Glory of Muhammad, Peace be Upon Him. Published by Seerat International Research Centre, page 74
12. Study in a Mosque, Stanley Lane-Poole, pp.86-89.
13. Islam At the Crossroads, De Lacy O'Leary , London, 1923, p. 8,
14. "Young India", quoted in The Light, Lahore, September 16, 1924.
15. Muhammad, the Prophet of Islam, Rao. See also Al-Dawa, July 2005 issue, page 48
16. The Outline of History, L
Encyclopedia of Seerah, vo
17. The Genuine Islam, Sir G
8, 1936.
18. Muhammad, A Biography
19. "Who Were History's Grea
July 15, 1974.
20. Al-Daawa July 2004 issue,
21. (The 100) A Ranking of t
History, Michael H. Hart.
22. Muhammad; Encyclopedia
23. Histoire de la Turquie, Alp

*O. Note: The founder of Isl
Prophet. Islam is the last re*

Religion", by James A.
58-70, May 1955.

d the Heroic in History,

Edward Gibbon and Simon

e be upon him, published
kistan, page 70.

of the Prophet, Karn

e be Upon Him, Published
kistan, page 58.

of the Prophet, Karn

by Seerat International
: 35.

aris, pp. 105-125.

l by Seerat International
56

Jpon Him. Published by
tre, page 74

Poole, pp.86-89.

O'Leary , London, 1923,

ight, Lahore, September

Rao. See also Al-Dawa,

16. The Outline of History, London, 1920 and; Muhammad; Encyclopedia of Seerah, vol.1, page 188.

17. The Genuine Islam, Sir George Bernard Shaw, vol. 1, no. 8, 1936.

18. Muhammad, A Biography of the Prophet, page 51.

19. "Who Were History's Greatest Leaders," Time Magazine, July 15, 1974.

20. Al-Daawa July 2004 issue, page 48.

21. (The 100) A Ranking of the Most Influential Persons in History, Michael H. Hart.

22. Muhammad; Encyclopedia of Seerah, vol.1, page 190.

23. Histoire de la Turquie, Alphonse de Lamartine.

O. Note: The founder of Islam is misnomer for the holy Prophet. Islam is the last religion of the prophetic cycle.

CHAPTER III

ISLAM

Before dealing with this important subject relating to Islam, it would be more appropriate to make it clear that the Noble Prophet, is not the founder of religion of Islam, as commonly stated by Western thinkers and orientalists. The Noble Prophet, never claimed to preach a new religion; He invited the people in the name of Allah to the same Islam (self surrender to God) that Abraham, Moses, Jesus and other prophets before him had demanded of their nations.

QUR'ANIC CONNOTATION:

In order to understand the universal message of Islam, it is necessary to determine the connotation of the term Islam, synonymous of which in the Hebrew language is "Shalom". Islam and Salama are derived from the Arabic root *seen, laam, meem* or "slm". Its primary meaning is surrender, submission, peace, tranquility, salutation, blessings and greetings. According to the unambiguous meaning of Islam used in the Noble Quran, it is absolute and total surrender to the will of God in order to gain peace and blessings from the Creator in this world and hereafter. Therefore, Islam is the religion of peace, based on the fundamental doctrine of Tawheed (monotheism). Surah "Al-Ikhlas" (Chapter 112) is the essence of the Quran. It has presented the uniqueness and oneness of God. In transparent words, this Surah was, according to some reports, revealed to the Prophet in answer to the question of the idolators about who God is. In his illustrious translation of the Quran, Mohammad Marmaduke Pickthall has translated the name of Surah Al-Ikhlas as "Unity," in view of its meaning and subject matter. The addressees of this Surah are mankind through the Prophet, who is

commanded to: "Say: 'He i
absolute; He begets not; no
none like unto Him." A pers
Ahad," (the One) has to give
Lord, nor one worthy of wors
God implies legal unity as
These legal norms are indica
law which governs the cosr
man and society as well. Un
one faith i.e., Islam which is
of Creator, Who is Ruler and
this way the sovereignty c
members of human society
order in regard to Him. It is
brotherhood. So comes the
Almighty as follows: "So, (C
Prophet) set your face sinc
religion, and be steadfast on
has created mankind. There
nature made by Allah. This
but most people do not know.

Commentary: "Do nc
nature made by Allah," that i
spoil the nature on which A
has to remain steadfast on or
Bukhari and Muslim (authe
sayings), the Noble Prophet
born, is born on the human
make him a Jew, a Christian c

In Surah Ar-Room (3
belongs whatever is in the h
obedient to Him. And He it is
then He will repeat it (after
easier for Him. His is the

III

important subject relating
priate to make it clear that
nder of religion of Islam,
thinkers and orientalists.
l to preach a new religion;
ne of Allah to the same
t Abraham, Moses, Jesus
had demanded of their

ıe universal message of
ıe the connotation of the
ı in the Hebrew language
derived from the Arabic
Its primary meaning is
tranquility, salutation,
ng to the unambiguous
ble Quran, it is absolute
od in order to gain peace
this world and hereafter.
of peace, based on the
d (monotheism). Surah
essence of the Quran. It
ıd oneness of God. In
as, according to some
answer to the question of
his illustrious translation
rmaduke Pickthall has
hlas as "Unity," in view
. The addressees of this
the Prophet, who is

commanded to: "Say: 'He is Allah, the One, the eternal, absolute; He begets not; nor is He begotten; and there is none like unto Him." A person who believes Allah is "Al-Ahad," (the One) has to give the testimony that there is no Lord, nor one worthy of worship, but the God. The unity of God implies legal unity as the Quran distinctly says so. These legal norms are indicated by a universal immutable law which governs the cosmos and is also applicable to man and society as well. Unity derived from God leads to one faith i.e., Islam which is complete surrender to the will of Creator, Who is Ruler and Sustainer of this universe. In this way the sovereignty of Allah means that all the members of human society are necessarily of the same order in regard to Him. It is thus a foundation of universal brotherhood. So comes the commandments from Allah Almighty as follows: "So, (O Prophet and followers of the Prophet) set your face sincerely and truly towards the religion, and be steadfast on the nature whereupon Allah has created mankind. There can be no alteration in the nature made by Allah. This is the right and true religion; but most people do not know." (Surah Ar Room 30:30)

Commentary: "Do not affect any alteration in the nature made by Allah," that is, it is not right to corrupt and spoil the nature on which Allah has created man. So one has to remain steadfast on one's true nature. According to Bukhari and Muslim (authentic books of the Prophet's sayings), the Noble Prophet said: "Every child, who is born, is born on the human nature, it is his parents who make him a Jew, a Christian or a Magian..."

In Surah Ar-Room (30:26) it is declared: "To Him belongs whatever is in the heavens and the earth. All are obedient to Him. And He it is Who originates the creation, then He will repeat it (after it has perished); and this is easier for Him. His is the highest description, in the

Heavens and the earth. And He is the All-Mighty, the All-Wise."

PURPOSE OF CREATION:

Islam reminds man that he is not created without any purpose so it has been said in Surah "Al-Anbiya": "And (know that) We have not created the Heavens and the earth and all that is in between them merely in idle play." (Surah Al-Anbiya 21:16)

So Islam makes the life of man on earth meaningful. Islam is not a set of rituals, but it is a Deen – i.e., a Law and way of life approved by Allal., as said in Quran: "Behold, the (true) religion before Allal. is Islam." (Surah Aal 'Imran 3:19).

Many non Muslim men of letters, scholars and even kings and emperors, who have studied Islam with open mind and understood the message of Islam, declared directly or indirectly that they were Muslim or acknowledged its unprecedented contribution to science, arts, literature, and some have paid great tributes to Islam for introducing culture and civilization to the world.

God, through His Last Messenger, declared, according to the above citation of the Quran, that Islam – self surrender to the Divine Laws – is the only true religion. Truth needs no advocate to plead on its behalf. However as the truth of the "Unitarian doctrine of Islam" is admitted by non Muslim scholars and dignitaries of the world, so it is an important evidence for their own co-religionists. We are therefore furnishing their statements so that our western and secular readers may formulate an objective opinion of Islam.

IMPACT OF ISLAM ON UNIVER
LEADERS OF THI

"WE ARE MUSLIMS" – Goethe a

Carlyle in his magnum opu
worship and the Heroic in Hist
natural philosopher and great sta
saying: "Allaho Akbar, God is gre
that we must submit to God. That o
resigned submission to Him. What
this world, and for the other! The
were it death and worse than death
best; we resign ourselves to God
Goethe, "do we not all live in Islan
on this statement says: "Yes, all of
life; we all live so (as Muslim).[1]

"I HOPE I AM A MUSLIM" – W. M

W. Montgomery Watt say
Islam and Christianity Today: "I a
usual sense, though I hope I
surrendered to God, but I believe
Qur'an and other expressions of th
stores of divine truth from which
have still much to learn, and Isla
contender for the supplying of the
one religion of the future."[2]

I AM A CONSTITUTIONAL Mi
Cornilius:

It will be pertinent to ment
of Justice A. R. Cornelius, a fo
Pakistan. He was a protestant but
Noble Qur'an and the Traditions o
believed that Islam is the only re
peace and harmony to the world i

He is the All-Mighty, the All-

that he is not created without
ı said in Surah "Al-Anbiya":
ıot created the Heavens and the
ɜen them merely in idle play."

fe of man on earth meaningful.
ut it is a Deen – i.e., a Law and
al., as said in Quran: "Behold,
ılı is Islam." (Surah Aal 'Imran

en of letters, scholars and even
ıave studied Islam with open
message of Islam, declared
at they were Muslim or
ɜnted contribution to science,
ve paid great tributes to Islam
vilization to the world.

Last Messenger, declared,
on of the Quran, that Islam –
aws – is the only true religion.
lead on its behalf. However as
ctrine of Islam" is admitted by
ıitaries of the world, so it is an
own co-religionists. We are
atements so that our western
nulate an objective opinion of

IMPACT OF ISLAM ON UNIVERSALLY RECOGNIZED LEADERS OF THE WEST:

"WE ARE MUSLIMS" – Goethe and Carlyle:

Carlyle in his magnum opus *On Heroes and Hero-worship and the Heroic in History* quoted Goethe, the natural philosopher and great statesman of Germany as saying: "Allaho Akbar, God is great and then also 'Islam', that we must submit to God. That our whole strength lies in resigned submission to Him. Whatsoever He does to us for this world, and for the other! The thing He sends to us, were it death and worse than death, shall be good, shall be best; we resign ourselves to God." If this is Islam says Goethe, "do we not all live in Islam?" Carlyle commenting on this statement says: "Yes, all of us that have any moral life; we all live so (as Muslim).[1]

"I HOPE I AM A MUSLIM" – W. Montgomery Watt:

W. Montgomery Watt says in his famous book *Islam and Christianity Today*: "I am not a Muslim in the usual sense, though I hope I am a *Muslim* as one surrendered to God, but I believe that embedded in the Qur'an and other expressions of the Islamic vision are vast stores of divine truth from which I and other occidentals have still much to learn, and Islam is certainly a strong contender for the supplying of the basic framework of the one religion of the future."[2]

I AM A CONSTITUTIONAL MUSLIM – Justice A. R. Cornilius:

It will be pertinent to mention here the declaration of Justice A. R. Cornelius, a former Chief Justice of Pakistan. He was a protestant but studied profoundly the Noble Qur'an and the Traditions of the Noble Prophet. He believed that Islam is the only religion which can bring peace and harmony to the world if practiced in letter and

spirit. At the International Conference of all the Chief Justices of the world held in Sydney, he had courage to declare that if Islamic punishments are implemented, heinous crimes which are prevalent in the world today would be reduced. The writer of this book had the privilege to have several sittings with him and discuss important issues relating to Islam. He had claimed himself to be a constitutional Muslim.

EUROPE IS DEEPLY IN DEBT TO ISLAM:

G.E. Von Grannneliaum writes: "There can be no denying the fact that Europe is deeply in debt to Islam for all its scientific discoveries. In fact, it was Islam that produced scientists who anticipated Bacon, Newton, Kepler and other great scientists of Europe. Europe in respect of science and civilization would not have been to-day what it was fourteen hundred years ago."[3]

ALL THE KNOWLEDGE – Deuan Port:

Deuan Port says: "It must be owned that all the knowledge, whether of physics, astronomy, philosophy or mathematics, which flourished in Europe from the tenth century, was originally derived from the Arabian schools, and that the Spanish Arabs, in a more particular manner, may be looked upon as the fathers of the European philosophy."[4]

WORLD RELIGION – Lancelot Lawton:

Lancelot Lawton writes: "As a religion the Muhammadan religion, it must be confessed, is more suited to Africa than the Christian religion: indeed, I would even say that it is more suited to the world as a whole."[5]

ISLAM IS MORE SUCCESSFUL THAN CHRISTANITY – Canon Isaac Taylor:

Isaac Taylor (1829-1901) was a philologist of 19th century. In an address delivered at Wolverhampton Church

rence of all the Chief
ney, he had courage to
ents are implemented,
ent in the world today
s book had the privilege
and discuss important
laimed himself to be a

ISLAM:

rites: "There can be no
ply in debt to Islam for
act, it was Islam that
Bacon, Newton, Kepler
e. Europe in respect of
ıave been to-day what it

ort:

be owned that all the
ronomy, philosophy or
Europe from the tenth
m the Arabian schools,
ıore particular manner,
hers of the European

ton:

"As a religion the
ɔnfessed, is more suited
ı: indeed, I would even
l as a whole."[5]

HAN CHRISTANITY –

as a philologist of 19th
Wolverhampton Church

Congress in 1887, he argued that Islam above all, is the most powerful abstinence society in the world; whereas the extention of European Trade means the extention of drunkenness and vice, and the degradation of the people. He further argued: "Islam replaced monkishness by manliness. It gave hope to the slave, brotherhood to mankind, and recognition to the fundamental facts of human nature. The virtues which Islam inculcates are what the lower races can be brought to understand temperance, cleanliness, chastity, justice, fortitude, courage, benevolence, hospitality, veracity and resignation."[6]

EXTINCTION OF RACE – Arnold J. Toynbee:-

Historian, Arnold J. Toynbee says: "The extinction of race consciousness as between Muslims is one of the outstanding achievements of Islam and in the contemporary world there is, as it happens, a crying need for the propagation of this Islamic virtue....."[7]

THE FOUNDER OF CIVILIZATION:

According to the author of the New Encyclopedia Britanica, Muhammad initiated religious, social and cultural developments of monumental significance in the history of mankind.[8]

BRILLIANT CIVILIZATION – Bertrand Russell:

Bertrand Russell was a great British Philosopher, mathematician and social reformer of the 20th Century, and a Nobel prize winner in 1950. He campaigned against nuclear arms. He says: "Our use of the phrase 'the Dark Ages' to cover the period from 699 to 1000 marks our undue concentration on Western Europe..... From India to Spain, the brilliant civilization of Islam flourished."[9]

THE GREATEST REVOLUTION – A.M. Lotrap Staddard:

A.M. Lotrap Staddard says: "Islam was in fact, the greatest revolution that has ever appeared in the world."[10]

"UNIQUE REVOLUTION" – R. Bosworth Smith:

R. Bosworth Smith writes: "Gibbon, one of the most philosophical of historians has remarked that of all the revolutions which have had a permanent influence upon the civil history of mankind none could so little be anticipated by human prudence as that effected by the religion of Arabia."[11]

FULL FREEDOM – Arnold J. Toyanbee:

"Islam as a system of education starts with a firm faith in one Omnipotent God and man as His vicegerent. It aims at developing an integrated personality in a harmonious and balanced way. It is concerned with the development of body and mind and soul while giving full freedom to an individual. Islam makes him conscious of his great duty and obligation he owes to the society and the state and to the humanity at large."[12]

STATUS OF WOMEN – George Bernard Shaw:

George Bernard Shaw says: "The Prophet Muhammad's teachings on the status of woman, exposure of female, children, and kindness to animals were 'far ahead of western Christian thought, even of modern thought'."[13]

FREEDOM OF WOMAN – V.C. Badley:

V.C. Badley writes: "Thirteen hundred years ago Islam made woman free and independent in the enjoyment of her possessions."[14]

WOMAN IS MORE PROTECTED – Mrs. Annie Besant:

Mrs. Annie Besant says: "I often think that woman is more free in Islam than in Christianity. Woman is more protected by Islam than by the faith which preaches monogamy."[15]

RISE OF ISLAM – A.M.L. Stodd

A.M.L. Stoddard says: "
the most amazing event in hum
land and a people like previou
within a century over half
empires, overthrowing l
remoulding the souls of races, a
world – the world of Islam.
development the more extraor
other great religions won th
struggle and finally triumphe
monarchs converted to the ne
Constantine, Budhism its As
Cyrus, each lending to his cho
secular authority. Not so Isla
sparsely inhabited by a
undistinguished in human ann
great adventure with the sle
against the heaviest material
with seemingly miraculous
generations saw the Fiery Cr
the Pyrenees to the Himalay
Central Asia to the desert of C

RATIONALISTIC RELIGION

Edward Montnet – F
"Islam is a religion that is e
widest sense of the term co
historically. The definition of
bases religious beliefs on pri
applies to it exactly. To belie
is summed up in belief in t
mission of His Prophet, ...
has always been proclaimed
majesty, and invariable purit
stripped of all theological con

rth Smith:

Gibbon, one of the
narked that of all the
t influence upon the
little be anticipated
by the religion of

e:

n starts with a firm
as His vicegerent. It
personality in a
concerned with the
ul while giving full
im conscious of his
the society and the

d Shaw:

: "The Prophet
f woman, exposure
animals were 'far
even of modern

undred years ago
t in the enjoyment

Annie Besant:

think that woman
. Woman is more
which preaches

RISE OF ISLAM – A.M.L. Stoddard:

A.M.L. Stoddard says: "The rise of Islam is perhaps the most amazing event in human history. Springing from a land and a people like previously negligible, Islam spread within a century over half the earth, shattering great empires, overthrowing long-established religions, remoulding the souls of races, and building up a whole new world – the world of Islam. The closer we examine this development the more extraordinary does it appear. The other great religions won their way slowly, by painful struggle and finally triumphed with the aid of powerful monarchs converted to the new faith. Christianity had its Constantine, Budhism its Asoka, and Zoroastrianism its Cyrus, each lending to his chosen cult the mighty force of secular authority. Not so Islam. Arising in a desert land sparsely inhabited by a nomad race, previously undistinguished in human annals, Islam sallied forth on its great adventure with the slenderest human backing and against the heaviest material odds. Yet Islam triumphed with seemingly miraculous ease, and in a couple of generations saw the Fiery Crescent borne victorious from the Pyrenees to the Himalayas and from the desert of Central Asia to the desert of Central Africa."[16]

RATIONALISTIC RELIGION – Edward Montent:

Edward Montnet – Famous French Scholar says: "Islam is a religion that is essentially rationalistic in the widest sense of the term considered etymologically and historically. The definition of rationalism as a system that bases religious beliefs on principles furnished by reason, applies to it exactly. To believers, the Muhammadan creed is summed up in belief in the unity of God and in the mission of His Prophet, ... the dogma of the unity of God has always been proclaimed in Qur'an with a grandeur, a majesty, and invariable purity..... a creed so precise, so stripped of all theological complexities and consequently so

accessible to the ordinary understanding might be expected to possess and does indeed possess a marvelous power of winning its way into the consciences of men.[17]

TOLERANCE GLORIOUS HERITAGE – Duncan Greenless:

"The nobility and broad tolerance of this creed (Islam), which accepts as God-inspired all the real religions of the world, will always be a glorious heritage for mankind. On it could indeed be built a perfect world religion."[18]

PHENOMENAL SUCCESS – M.N. Roy:

M. N. Roy was a prominent leader of International Communist Party and was the personal friend of Lenin. He was impressed by revolutionary movement of Islam. He delivered lectures on this topic in 1920 which are published in a book 'Historical Role of Islam'. He says: "The phenomenal success of Islam was primarily due to its revolutionary significance and its ability to lead the masses out of the hopeless situation created by the decay of antique civilizations not only of Greece and Rome but of Persia. China and India."[19]

MEDIATION OF ISLAM – H.A.R. Gibb:-

"Islam has a still further service to render to the cause of humanity. No other society has such a record of success in uniting in an equality of status of opportunity and of endeavours so many and so various races of mankind. Islam has still the power to reconcile apparently irreconcilable elements of race and tradition. If ever the opposition of the great societies of East, West is to be replaced by cooperation, the mediation of Islam is an indispensable condition. In its hands lies very largely the solution of the problem with which Europe is faced in its relation with East. If they unite, the hope of a peaceful

issue is immeasurably enha
rejecting the cooperation of Is
of its rivals, the issue can be di

One wonders how the
have comfortably ignored th
views of their great leaders of
Islam and the Prophet of Isla
hatred and Islamophobia of
misleading propaganda, that Is
and fascists, its followers are
destroy the western civilizatio
at the point of sword. There
the western media against Isl
through mischievous cartoons
brutal attacks from all fronts a
across the world, it is a
fundamentalists that Islam
spreading religion in Europe
the attention of non Mus
scholars and also common
Islam, are not only preaching
lives, but are also inviting
relatives to join hands with
Islam, the universal religion.

One may ask what a
spread of Islam in the West a

There is not a single
by use of force at any time
the verdict of Qur'an; "Th
religion." (Surah Al-Baqara
of the widespread fallacy
unbelievers the alternative o

In the full blaze of h
after the establishment of t

ıding might be expected
s a marvelous power of
s of men.[17]

RITAGE – Duncan

ɔlerance of this creed
ed all the real religions
glorious heritage for
built a perfect world

oy:

leader of International
ıal friend of Lenin. He
ɔvement of Islam. He
20 which are published
lam'. He says: "The
primarily due to its
lity to lead the masses
y the decay of antique
Rome but of Persia.

bb:-

vice to render to the
has such a record of
status of opportunity
so various races of
reconcile apparently
radition. If ever the
East, West is to be
ion of Islam is an
lies very largely the
urope is faced in its
hope of a peaceful

issue is immeasurably enhanced. But if Europe, by rejecting the cooperation of Islam, throws it into the arms of its rivals, the issue can be disastrous for both."[20]

One wonders how the hirearchy minds of the West have comfortably ignored the statements and valuable views of their great leaders of all walks of life in defence of Islam and the Prophet of Islam! It shows the deep rooted hatred and Islamophobia of Europe. There is ongoing, misleading propaganda, that Islam is a religion of terrorists and fascists, its followers are trying to gain ascendancy to destroy the western civilization, and that Islam was spread at the point of sword. There is a continuous onslaught by the western media against Islam and the Prophet of Islam, through mischievous cartoons and caricatures. Despite the brutal attacks from all fronts against Islam and the Muslims across the world, it is a misfortune of the Christian fundamentalists that Islam is amazingly the fastest spreading religion in Europe and America. It has attracted the attention of non Muslim scientists, intellectuals, scholars and also common men who, after embracing Islam, are not only preaching and practising it in their daily lives, but are also inviting their neighbours, friends and relatives to join hands with them to promote the cause of Islam, the universal religion.

One may ask what are the causes of this massive spread of Islam in the West and the rest of the world?

There is not a single instance of conversion to Islam by use of force at any time since its advent. According to the verdict of Qur'an; "There is no compulsion in the religion." (Surah Al-Baqarah 2:256). This should dispose of the widespread fallacy that Islam places before the unbelievers the alternative of "Conversion or Sword."

In the full blaze of historical light, one can see that after the establishment of the Government in Madina, the

Jews, Christians and other non believers had all rights to profess and practise their religion as guaranteed by the constitution of the first Islamic State of Madina, commonly known as "Mithaq-il-Madina" and no one was forced to abandon his faith. The Christians of Syria and Egypt accepted Islam as their religion by their own free will, to escape the oppressive rule of the Byzantine emperors. In Spain the native Christians embraced Islam, not under any compulsion, but after observing the equal and humanitarian treatment of the Muslim rulers.

The real causes of the massive spread of Islam, among other things, are as follows:

(i) Islam is a simple, clear and easy to understand and to adopt. There are no complexities of hard contemplation and unreasonable rituals, which are necessary to be performed in other religions, in the process of conversion.

(ii) Any person can adopt Islam by declaring that there is no God but Allah, and that Muhammad, is the Messenger of God. This doctrine of unity of God is also the basis of unity of mankind.

(iii) Islam does not recognize the authority of Caesar at par with God. So man does not "render unto Caesar what is of Caesar and unto God what is of God." Islam proclaims that the entire universe and all that exists therein belongs to God alone. It brings Caesar down to the level of a common man. In Islam the relation between God and man is direct. It needs no Priest or Rabbi, pundit or Mulla for linkage with God. It does not require any special building or a particular place for worship. A Muslim may worship God anywhere and at any place which is neat and clean.

Islam does not beli
original sin, according to
punished for the wrong c
stand point is that man is be
given a kind of free will,
whatever he does in this
hereafter.

Islam is thus a rati
to reason and common se
the sword to conquer the h

Islam is a religion
equity, with a universal m
of mankind. According
incredible increase of the
cent in the world, durin
whereas there is a 4 per c
per cent decrease in those
is affirmed that there are
Great Britain.

The astonishing fa
illuminating flame of int
9/11 incident. It is increa
majority of intellectuals
Europe, who are embrac
We conclude this cha
distinguished historian,
of Islam in a most ama
which dazzled the Chri
that Muhammad was a t
gave to his followers wa

ievers had all rights to
as guaranteed by the
e of Madina, commonly
no one was forced to
of Syria and Egypt
their own free will, to
Byzantine emperors. In
d Islam, not under any
equal and humanitarian

sive spread of Islam,

asy to understand and
complexities of hard
ble rituals, which are
other religions, in the

y declaring that there
t Muhammad, is the
ine of unity of God is
ind.

uthority of Caesar at
t "render unto Caesar
od what is of God."
universe and all that
one. It brings Caesar
n man. In Islam the
is direct. It needs no
lla for linkage with
pecial building or a
. A Muslim may
any place which is

Islam does not believe in the Christian concept of original sin, according to which an innocent person is punished for the wrong done by someone else. Islam's stand point is that man is born in the best structure and he is given a kind of free will, so he shall be responsible for whatever he does in this world and shall be accountable hereafter.

Islam is thus a rationalistic religion which appeals to reason and common sense. So, it is more powerful than the sword to conquer the hearts and mind of men.

Islam is a religion of tolerance, peace, justice, and equity, with a universal message of humanity for the whole of mankind. According to statistical data, there is an incredible increase of the followers of Islam by 235 per cent in the world, during the 50 years of 20th Century, whereas there is a 4 per cent decrease of Judaism, and a 13 per cent decrease in those of Confucianism and Taoism. It is affirmed that there are more Muslim than Methodists in Great Britain.

The astonishing fact is that Islam has flashed like an illuminating flame of intellect, even in the aftermath of the 9/11 incident. It is increasingly attracting the attention of a majority of intellectuals and the elite of America, and Europe, who are embracing it with courage of conviction. We conclude this chapter with the high note of a distinguished historian, W. Montgomery Watt: "The spread of Islam in a most amazing way and with a terrific speed which dazzled the Christian world is enough to confirm that Muhammad was a true Prophet and the Book which he gave to his followers was true and revealed."

References Chapter-III

1. The Hero & Heroes worship in Heroic history, page 68.
2. W. Montgomery Watt, Islam and Christianity Today, London, 1983, page 9.
3. Seerat International Research Centre Islamabad, page 72.
4. Seerat International Research Centre Islamabad, page 54.
5. Seerat International Research Centre Islamabad, page 73.
6. Seerat International Research Centre Islamabad, page 73.
7. A.J. Toynbee, Civilization on Trial, New York, 1984, page 205 – page 3 of WAMY on Islam.
8. The New Encyclopedia Britannica, 15th edition - Seerat International Research Centre Islamabad, page 37.
9. Glory of Muhammad, published by Seerat International Research Centre Islamabad, page 76.
10. Ibid, page 53.
11. Ibid, page 52.
12. Ibid, page 81.
13. Ibid, page 44.
14. Ibid, page 78.
15. Ibid, page 44.
16. "Islam: The Religion of All Prophets", Begum Bawani Waqf, Karachi Pakistan, page 56.
17. Edward Montet: "La Propaande Chretien et ses Adversaries Musulmans", Paris, 1890, page 17:18, quoted by T.W. Arnold in The Preaching of Islam, London, 1913, page 413:414.
18. Glory of Muhammad, published by Seerat International Research Centre Islamabad, page 66.
19. Ibid, page 61.
20. H.A.R. Gibb, Whither Islam, London, 1932, page 379 – WAMY Series on Islam, page 2:3.

CHAPT

The Quran - The Uncreat

When the Noble Prop
pagan Arabs to Islam, he did
aside from the Quran. It had
to accept the message, aside
who prevented the people fro
Quranic verses.

The senior British Ori
book "Legacy of Islam" write

"Even we find some Christi
who was notorious for his f
states that the Qur'an is for
beautiful style that the Chris
and admire."[1]

Alvaro and Eulogius
Christian zealots of Muslim
extremists who launched
Blasphemy against the Noble
the 9th century. We have give
activities in the chapter "Mus

In contrast to all th
have been revealed, and whi
the Quran is the only Sacred
living language which has
throughout the last fourteen

The Jews attributed
called the Old Testament. D
books stated to have been re
finds events which are obvi

c history, page 68.
d Christianity Today,

Islamabad, page 72.
Islamabad, page 54.
Islamabad, page 73.
Islamabad, page 73.
New York, 1984, page

15th edition - Seerat
abad, page 37.
y Seerat International
.

ets", Begum Bawani

ien et ses Adversaries
:18, quoted by T.W.
London, 1913, page

Seerat International

, 1932, page 379 –

CHAPTER IV

The Quran - The Uncreated and immutable Book

When the Noble Prophet of God, first invited the pagan Arabs to Islam, he did not bring any divine miracle aside from the Quran. It had immediate impact upon them to accept the message, aside from the diehard opponents who prevented the people from listening to the recitation of Quranic verses.

The senior British Orientalist Thomas Arnold, in his book "Legacy of Islam" writes:

"Even we find some Christians like Alvaro from Spain, who was notorious for his fanatic position against Islam, states that the Qur'an is formed in such a wonderful and beautiful style that the Christians have no choice but read and admire."[1]

Alvaro and Eulogius were the fanatic leaders of Christian zealots of Muslim Spain. They were the first extremists who launched the hysterical campaign of Blasphemy against the Noble Prophet of Islam in Europe in the 9th century. We have given the details of their nefarious activities in the chapter "Muslim Spain" of this book.

In contrast to all the Holy Scriptures claimed to have been revealed, and which are available in the world, the Quran is the only Sacred Book preserved in its original living language which has remained entirely unchanged throughout the last fourteen centuries.

The Jews attributed five books to Moses which are called the Old Testament. Deuteronomy is one of the five books stated to have been revealed to Moses, but in it, one finds events which are obvious later additions, as the last

chapter of this book deals with the illness, death, and burial of Moses.

Obviously there cannot be any revelation after the death of Moses. [2]

According to Christian historians, there were more than seventy Gospels written by different followers of Jesus Christ, several years after his disappearance. Most of them were discarded as being of dubious nature, and only four Gospels, i.e., those of Mathew, Mark, Luke and John were considered reliable. Voltarie, one of the great French authors and a historian of the 18th century describes how the four Gospels were selected and the rest rejected. According to him, the Church thought that from the seventy odd Gospels whose contents were mutually contradictory, only the reliable books should be selected. The method for selection was marvelous. All the Gospels were placed on a table near the altar in the Church, then the table was shaken. The books which fell down were considered unreliable, and those that remained on the table, despite the shakeup, were acclaimed as authentic.[2-A]

Karen Armstrong is among the foremost writers of the 21st century. She is professor of comparative studies of religions at Oxford University. She has also expressed her doubt about the authenticity of the Bible. She writes: "They (authors of Gospels) are more concerned with the religious meaning of Jesus' Life than with the historical facts and frequently express the needs, the preoccupations and beliefs of the early churches rather than the original events. New Testament scholars, for example, point out that the gospel accounts of Jesus' passion and death are hopelessly confused and the facts have been changed. The Christians at that time were anxious to dissociate themselves from the Jews so they blamed them and not the Romans for Jesus' death. Very few of the actual words of Christ have been recorded.[3]

Dr. Hamidullah, a renc
passed away in the year 200
number of monumental books.
the privilege of having an ass
him from Osmania University
He was one of the disti
organization, that is, the Wo
Jurists. Whenever the writer
courtesy visit to him in France,
mutual interest relating to
translation of the Quran in
considered to be the most
Sacred Book. His valuable l
translated in English and publi
Institute, International Islamic
Hamidullah has been acknowl
Islamic scholars. He writes a
Quran: "Indeed it was the No
first time commanded that the
be committed to writing. Be
across a similar example in the
the Prophets."[4]

The Quran is meticulously pr
because it is the last word
human language on how to l
social life, according to the Di
of unity which unites all hum
the cosmos, and the eter
Consequently, the Quran tea
and tranquility, to encourage
world, which is divided by g
colour, language and other b
artificial. It teaches love and
for the creatures of God. Th
necessary for mankind, as
passage of time could not be

he illness, death, and burial

be any revelation after the

istorians, there were more
different followers of Jesus
sappearance. Most of them
ious nature, and only four
Mark, Luke and John were
one of the great French
18th century describes how
ed and the rest rejected.
ought that from the seventy
re mutually contradictory,
e selected. The method for
Gospels were placed on a
urch, then the table was
l down were considered
ed on the table, despite the
ntic.[2-A]

ng the foremost writers of
of comparative studies of
he has also expressed her
e Bible. She writes: "They
ncerned with the religious
h the historical facts and
preoccupations and beliefs
the original events. New
point out that the gospel
d death are hopelessly
changed. The Christians
ciate themselves from the
ot the Romans for Jesus'
rds of Christ have been

Dr. Hamidullah, a renowned scholar of Islam, who passed away in the year 2002, is the author of a large number of monumental books. The writer of this book has the privilege of having an association of fifty years with him from Osmania University of former Hyderabad State. He was one of the distinguished patrons of our organization, that is, the World Association of Muslim Jurists. Whenever the writer visited Europe, he paid a courtesy visit to him in France, and discussed the matters of mutual interest relating to Islam and the Quran. His translation of the Quran in the French Language is considered to be the most authentic translation of the Sacred Book. His valuable lectures on Islam have been translated in English and published by the Islamic Research Institute, International Islamic University, Islamabad. Dr. Hamidullah has been acknowledged as one of the greatest Islamic scholars. He writes about the preservation of the Quran: "Indeed it was the Noble Prophet, who had for the first time commanded that the Quran be memorized as well be committed to writing. Before him, we do not come across a similar example in the entire history of the chain of the Prophets."[4]

The Quran is meticulously preserved in its pristine purity because it is the last word of God, addressing man in human language on how to lead a physical, spiritual and social life, according to the Divine Law based on a doctrine of unity which unites all human beings, in their relation to the cosmos, and the eternal life of the hereafter. Consequently, the Quran teaches equity, equality, justice and tranquility, to encourage living a peaceful life in this world, which is divided by geographical boundaries, race, colour, language and other boundaries, both natural, and artificial. It teaches love and mercy, even for animals, and for the creatures of God. This perpetual divine writ was necessary for mankind, as earlier scriptures during the passage of time could not be kept intact to represent the

original revelations. A Muslim is bound to believe the contents of the present available scriptures to the extent at which they are not in conflict with Quranic version, which is a universal truth. It is also not necessary to accept the statements of non Muslim learned scholars as a whole. We reject such parts of their statements which are tainted with conscious or unconscious prejudices against Islam. But nevertheless, the statements of unbiased writers, which dispel the distorted and erroneous views relating to Islam and the Quranic message, deserve to be brought to the notice of the world at large. It may enable the people of different religions to understand the Sacred Book of Islam in its true perspective. Keeping in view this important aspect, we are furnishing the statements and opinions of renowned non-Muslim writers, scientists, thinkers and distinguished scholars about the Quran, which they have studied thoroughly, and after objective research, observed that it is the most influential book to shape modern human society.

A GREAT SOCIAL REFORMER OF WORLD REPUTE – Goethe writes:

"However often we turn to it (the Qur'an) at first disgusting, but soon it attracts, astounds and in the end enforces our reverence . . . . Its style, in accordance with its contents and aim is stern, grand, terrible – ever and anon truly sublime. . . Thus this book will go on exercising through all ages a most potent influence."[5]

QURAN – THE GREATEST MIRACLE – Loravicia Vagleri:

Loravicia Vagleri, a renown Italian researcher and author of The Grammers of Arabic Language writes: "The greatest miracle of Islam is Qu'ran through which well established and uninterrupted narration tells us with

absolute certitude that it is
imitate it."[6]

QURAN ----- THE TRUE MI

Robert L. Gulick in
Educator writes: ".....The
the unlettered educator, was
prose book of the Arabs. This
dialect as the literary languag
by reason of the universal ch
all mankind, the common ton

QURAN ATTRACTS THE HI

Dr. Sidney Fisher,
University, who wrote the bo
Age" says: "The Qur'an is
the heart of the Muslim. It be
when loudly recited even th
such wonderful aspects of th
mates who admitted the rl
him..... The Qur'an is al
only a book that states prese
which it encourages Musl
beautiful and the most hig
balance of morals. The guid
prescriptions as in prohibitio

QURAN – UNCREATED AN

The French intellectual Ma
writer who gave special a
human rights and internatio
several books on both subje
a Divine text in Islam, two e
that it is a revealed and uncr
it is a Qur'an; i.e. a speech

absolute certitude that it is a book that there is no way to imitate it."[6]

QURAN ----- THE TRUE MIRACLE – Robert L. Gulick:

Robert L. Gulick in his book, *Muhammad: The Educator* writes: ".....The true miracle of Muhammad, the unlettered educator, was his gift of the Quran, the first prose book of the Arabs. This work perpetuated the Meccan dialect as the literary language of the Arabs and ultimately, by reason of the universal character of Islam as a mercy for all mankind, the common tongue of the world of culture."[7]

QURAN ATTRACTS THE HEART – Dr. Sidney Fisher:

Dr. Sidney Fisher, professor of history of Ohio University, who wrote the book "Middle East in the Islamic Age" says: "The Qur'an is the word of Allah that attracts the heart of the Muslim. It becomes more wonderful to him when loudly recited even though he does not understand such wonderful aspects of the Qur'an as understood by his mates who admitted the rhetoric of the Qur'an before him..... The Qur'an is also book of education and not only a book that states prescriptions and rites. The virtues which it encourages Muslims to adopt are the most beautiful and the most highly weighing aspects in the balance of morals. The guidance of this book is as clear in prescriptions as in prohibitions."[8]

QURAN – UNCREATED AND INIMITABLE BOOK:

The French intellectual Marcel Pozart, is a well known writer who gave special and considerable attention to human rights and international relations. He is author of several books on both subjects. He writes: "When defining a Divine text in Islam, two elements should be noted: First, that it is a revealed and uncreated book; and secondly, that it is a Qur'an; i.e. a speech live in the hearts of the group.

The Qur'an is still up to this time a lofty model of Arabic rhetoric and literature that is impossible to imitate. It does not only represent an ideal and exemplary literary work, but also a source of Arabic literature. The religion contained in it is the basis of a large number of intellectual methodologies that authors will become renowned for."[9]

QURAN AND SCIENCE – Johanna Ctshejivisca:

Johanna Ctshejivisca, a Polish research scholar says: "Although the Holy Qur'an was revealed to an illiterate Arab who grew up within an illiterate nation, it brought laws that one can not learn except in high standard universities. The Qur'an contains scientific facts that the world knew long centuries later."[10]

THE IMPRESSION OF NON MUSLIM CONVERTS ABOUT QUR'AN:

Qur'an contains public law: Abdullah Quilliam, the famous English thinker who embraced Islam and wrote a book "The Creed of Islam" says: "The rulings of the Qur'an are not limited to moral and religious prescriptions: It is the public law for the Muslim world. It encompasses all civil, commercial, military, judicial, criminal and penal laws. It is also a religious law that on the pivot of which every religious and secular matter should revolve, from saving lives to physical well being and from the rights of the subjects to the rights of every individual and from the self-interest to the interests of the social entity, from virtue to vice and from punishment in this life to punishment in the Hereafter. Hence, the Quran materialistically differs from sacred Christian books which have no religious fundamentals. They are mainly composed of stories, fables and a great confusion of worship matters which are unreasonable and of no impression."[11]

lofty model of Arabic
ible to imitate. It does
olary literary work, but
e religion contained in
mber of intellectual
me renowned for."[9]

Ctshejivisca:

lish research scholar
was revealed to an
an illiterate nation, it
xcept in high standard
ientific facts that the

USLIM CONVERTS

bdullah Quilliam, the
ed Islam and wrote a
"The rulings of the
eligious prescriptions:
orld. It encompasses
l, criminal and penal
n the pivot of which
hould revolve, from
id from the rights of
ividual and from the
al entity, from virtue
ife to punishment in
terialistically differs
have no religious
sed of stories, fables
matters which are

THE QURAN IMPRESSED MY HEART – Ayesha Bridget Honey:

Ayesha Bridget Honey who lived in an English Christian family and studied philosophy and traveled to complete her studies in Canada where she knew about Islam, says: "I cannot, whatever I try, describe the impression that the Quran left in my heart. I had barely completed the third Sura of the Qur'an to find myself prostrate to the Creator of this universe; the first prayer I performed as a Muslim."[12]

THE MOST PRECIOUS THING I HAVE – William Packard:

William Packard, the renowned English man of letters who wrote an excellent book titled "A New World" and declared reversion to the natural religion, following a profound study of Islam, says: "I bought a copy of Savary's translation of the meanings of the Qur'an. It is the most precious thing I have. I have found all pleasure and joy in reading it as if the immortal and blessed light of truth had illuminated my heart and all my life."[13]

THE REVEALED BOOK – Muhammad Asad (Leopold Weiss):

The Austrian intellect and journalist who embraced Islam and chose the name of "Muhammad Asad" wrote a valuable book titled, "The Road to Makkah," and presented to the author of this book, says: "Thus, by mental urgency, human awareness and precise knowledge I knew it is the revealed Qur'an.....My wife Elsa, like me, was more impressed by the internal integration between the moral teachings of the Qur'an and its practical directions. Allah, according to the Qur'an, has not requested man to blindly submit to him, rather, He addressed his mind. He does not stand away from the destiny of man, rather he is closer to

him than his soul. He has not drawn a line that separates belief from the social conduct."[14]

THE BIBLE THE QUR'AN AND SCIENCE – Dr. Maurice Bucaille:

Dr. Maurice Bucaille, the French doctor of our modern age wrote a profound study of the Quran and science. In his book, "The Bible The Quran and Science," he says: "It was in a totally objective spirit, and without any preconceived ideas that I first examined the Qur'anic Revelation. I was looking for the degree of compatibility between the Qur'anic text and the data of modern science. I knew from translations that the Qur'an often made allusion to all sorts of natural phenomena, but I had only a summary knowledge of it. It was only when I examined the text very closely in Arabic that I kept a list of them at the end of which I had to acknowledge the evidence in front of me: the Qur'an did not contain a single statement that was assailable from a modern scientific point of view.

I repeated the same test for the Old Testament and the Gospels, always preserving the same objective outlook. In the former I did not even have to go beyond the first book, Genesis, to find statements totally out of keeping with the cast-iron facts of modern science.

On opening the Gospels, one is immediately confronted with a serious problem. On the first page we find the genealogy of Jesus, but Matthew's text is in evident contradiction to Luke's on the same question. There is a further problem in that the latter's data on the antiquity of man on Earth are incompatible with modern knowledge.[15]

SUBLIME MORAL DOCTRINES – Washington Irving:

The American Orientalist, Washington Irving, the author of "Mahomet and His Successors," stated that the

Qur'an calls to mercy, purit
added: "The Torah was at
conduct for human kind u
Christians followed the teac
both the Torah and the Gosp
and distortion and hence they
which is more comprehen
previous books. The Qur'an
laws because it is the last
Allah protected against altera

It has been proven
that no original manuscript
except the Qur'an, in its orig
all the spiritual and socia
mankind. So if a person rea
shall open the ways to lead a
this world and hereafter.

rawn a line that separates

SCIENCE – Dr. Maurice

he French doctor of our
study of the Quran and
The Quran and Science,"
tive spirit, and without any
examined the Qur'anic
ne degree of compatibility
e data of modern science. I
Qur'an often made allusion
but I had only a summary
n I examined the text very
list of them at the end of
evidence in front of me:
single statement that was
ic point of view.

for the Old Testament and
ne same objective outlook.
ve to go beyond the first
its totally out of keeping
science.

els, one is immediately
em. On the first page we
out Matthew's text is in
on the same question.
at the latter's data on the
ncompatible with modern

– Washington Irving:

t, Washington Irving, the
ccessors," stated that the

Qur'an calls to mercy, purity and sublime doctrines." He added: "The Torah was at a time the guide and basis of conduct for human kind until Messiah came when the Christians followed the teachings of the Bible. However, both the Torah and the Gospels were subjected to alteration and distortion and hence they were replaced by the Qur'an, which is more comprehensive and detailed than both previous books. The Qur'an contains every thing and all laws because it is the last divine book and the only one Allah protected against alteration and distortion."[16]

It has been proven beyond any reasonable doubt that no original manuscript is in existence in the world, except the Qur'an, in its original language, which contains all the spiritual and social laws for the guidance of mankind. So if a person reads it with an unbiased mind, it shall open the ways to lead a happy and harmonious life in this world and hereafter.

References Chapter-IV

21. Al-Daawah March 2002, page 12.
22. The Emergence of ISLAM, page 7
23. Muhammad (PBUH) a biography of the Prophet, page 51
24. The Emergence of Islam by Muhammad Hamidullah, page 15.
25. Goethe, quoted in T.P. Hughes, "Dictionary of Islam", page 526 – Wamy Series – Quran, page 3
26. Al-Daawah, March 2002, page 15
27. Muhammad – The Educator, page 7 – Prophet Muhammad as viewed by Famous Western Scholars by M.S.Baqa page 48
28. Al-Daawah, Issue No.5, March 2002, P-15.
29. Ibid P-12
30. Ibid P-15
31. Ibid P-14.
32. Ibid P-14.
33. Ibid P-15.
34. Ibid P-15.
35. Introduction "The Bible The Qur'an And Science, by Maurice Bucaille, page 8.
36. Al-Daawah, Issue No.5, March 2002, P-12.

PA

THE BLASPHEM
AND TH

2.
e 7
y of the Prophet, page 51
hammad Hamidullah, page

"Dictionary of Islam",
n, page 3
5
ge 7 – Prophet Muhammad
Scholars by M.S.Baqa page

2002, P-15.

r'an And Science, by

2002, P-12.

PART 2

THE BLASPHEMY LAW IN ISLAM AND THE WEST

CHAPTER V

A SOUL INSPIRING DREAM OF THE AUTHOR

In the year 1975, I was living in the vicinity of former Bahawalpur house on the Ghazi Ilmuddin Shaheed Road, Lahore, in front of a principal mosque where I used to offer my Friday prayers. Once a renowned Muslim preacher, Maulana Muhammad Musa Khan of the Jamiah Ashrafiah (a well known seminary), was addressing the gathering before the Friday prayers, following the request of Imam Masjid, Qari Attaullah. The Maulana was wearing spotless, white dress. On this sight an idea instantly tilted across my mind: "What a difference between the preachings and action of our ulema? They enjoin others to practise the Sunnah and want to adopt the simple lifestyle of the companions of the Holy Prophet, particularly the Rightly Guided Caliphs for the revival of Islamic system of government, but no such a trace is visible in their own life style. When the fabulous wealth of Iran and Iraq was being piled up at the feet of Caliph Umer he used to be dressed in rags with patches. But today this reverend cleric, garbed all in white, is sitting on the pulpit with grandiose airs. This barred me even from meeting him after the Friday prayers. After a few days all about this incident slipped out of my mind. One night after a long good time, I had a dream, finding myself in the midst of a sea of men. All of a sudden a cry went up with the pronouncement that the holy Prophet was coming. When I looked up, the whole atmosphere was illumined with celestial light around the holy Prophet, who wearing a pure white a spotless dress and seated on a galloping bright white horse. I saw him from a distance. A sinner like me could not muster courage to gaze at his shining face and my eyes were automatically lowered. Yet out of sheer impassion and restiveness I kept running along his riding horse, I felt that the holy Prophet, was moving

towards seminary of Khanpu
repository of Islamic traditions
headed by Sheikh-ul-Hadi
Darkhwasti. This was the place
pious father Al-Sheikh Muhamm
had indeed got marked his buri
there. Reverting to my point, th
life that was of inestimable val
when my head came closer t
blessed enough to touch his N
my own hands. What else a foll
God, could dream of! For a lo
this dream to anybody. In
wickedness and sinful life kep
occurrence of this spiritual rari
be a slip of tongue on my pa
could not afford to be auda
humblest person in relation to
stature. I was also afraid that
the story of the beautiful drea
personage of the noble Prophe
could match the sublimity of h
one day I hesitantly related th
mine, Zamir Ahmad Khan,
conscience. On hearing it, he
lucky. Perhaps destiny will r
being encouraged, I related th
Muhammad Musa. Indeed
about him had totally eroded
vision. I asked him if I coul
knowledge as well. "There i
replied and said that it w
guidance and instructions.

By the blessing of
Umrah before Haj in 1992
Mobeen was posted at Taif.

ER V

AM OF THE AUTHOR

as living in the vicinity of
ne Ghazi Ilmuddin Shaheed
ncipal mosque where I used
Once a renowned Muslim
Musa Khan of the Jamiah
inary), was addressing the
yers, following the request
The Maulana was wearing
ght an idea instantly tilted
difference between the
ema? They enjoin others to
adopt the simple lifestyle
Prophet, particularly the
evival of Islamic system of
is visible in their own life
of Iran and Iraq was being
er he used to be dressed in
reverend cleric, garbed all
with grandiose airs. This
n after the Friday prayers.
ncident slipped out of my
od time, I had a dream,
a of men. All of a sudden
nent that the holy Prophet
ne whole atmosphere was
nd the holy Prophet, who
dress and seated on a
v him from a distance. A
courage to gaze at his
tomatically lowered. Yet
ness I kept running along
ly Prophet, was moving

towards seminary of Khanpur Makhzan-ul-Uloom, a repository of Islamic traditional knowledge, which was headed by Sheikh-ul-Hadith Maulana Abdullah Darkhwasti. This was the place in the vicinity of which my pious father Al-Sheikh Muhammad Qureshi is buried who had indeed got marked his burial place during his lifetime there. Reverting to my point, then came a movement in my life that was of inestimable value and really unforgettable when my head came closer the prophet's stirrup. I was blessed enough to touch his Naleen Mubarak (shoe) with my own hands. What else a follower of the holy Prophet of God, could dream of! For a long time, I did not mention this dream to anybody. In fact the feelings of my wickedness and sinful life kept me tongue-tied about the occurrence of this spiritual rarity. I feared lest there should be a slip of tongue on my part. Realistically speaking, I could not afford to be audacious enough to bring my humblest person in relation to the Prophet's unparalleled stature. I was also afraid that I might be unable to narrate the story of the beautiful dream accurately relating to holy personage of the noble Prophet of God, because no words could match the sublimity of his body and soul. At long last one day I hesitantly related this dream to a close friend of mine, Zamir Ahmad Khan, a Barrister with a good conscience. On hearing it, he remarked, "brother, you are lucky. Perhaps destiny will make you do some feat." On being encouraged, I related the dream to the same Maulana Muhammad Musa. Indeed the wrong impression made about him had totally eroded away from my mind after this vision. I asked him if I could bring it into other people's knowledge as well. "There is nothing wrong with it", he replied and said that it was also a way of prophetic guidance and instructions.

By the blessing of Allah I happened to perform Umrah before Haj in 1992, when my eldest son Taha Mobeen was posted at Taif. Accompanied by my brother

Adbul Aleem Qureshy and our relative Sardar Ahmad Khan I stayed at the house of Maulana Mohammad Al-Makki, preacher of the mosque of the holy Kabah. It was there that on the blessed night of 21st Ramdan I met the same Maulana Muhammad Musa by chance. Again the heart-warming dream came under discussion with him and this made blood rush to his cheeks. He stood up and urged the audience to bear witness to the truth revealing dream (supporting his impeccably white dress). The truth underlying the following Quranic verse dawned upon my mind: "Say: who is there to forbid the beauty which God has brought for his creatures, and the good things from among the means of sustenance? "Say: They are (lawful) in the life of this world unto all who have attained to faith- to theirs alone on Resurrection Day"[1]. This is how this dream turned into a reality, going deep into my heart and soul. And prompted by a sense of gratitude for this divine favour, I have yearned to reduce it to writing and come to believe that my survival against all horrors in a car accident in 1976 is also related to uncanny factors working behind this dream. Thank God, the interpretation of this dream according to my belief has been channelized into the legislation of the Law of Blasphemy in Pakistan. Its capital punishment is provided by the Penal Code of Pakistan under section 295-C. It was set afoot through the legal efforts of this humble servant of God in 1983 and at last in May 1990 the Federal Shariat Court gave its historic verdict in the case titled Muhammad Ismail Qurashy verses The Govt of Pakistan that death is the only punishment for this unpardonable offence against the Holy Prophet of God.

Surprisingly, a democratic Muslim Government of Pakistan, which was committed to implementing the Islamic injunctions in Pakistan and had come to power on the basis of this election issue filed an appeal in the Supreme Court against this decision of the Federal Shariat Court. I warned the then Prime Minister of Pakistan Mian

Muhammad Nawaz Sharif o
God, he took notice of it in ti
was dismissed as withdrawn
penalty of death for a blas
irrevocable law of Pakistan.
2005 the Supreme Court r
against the dictum of Lahore
some unwarranted amendmer
the year 2002. The aforesai
Court of Pakistan is Appendi

our relative Sardar Ahmad
of Maulana Mohammad Al-
ue of the holy Kabah. It was
ht of 21st Ramdan I met the
Musa by chance. Again the
nder discussion with him and
neeks. He stood up and urged
to the truth revealing dream
white dress). The truth
anic verse dawned upon my
forbid the beauty which God
, and the good things from
e? "Say: They are (lawful) in
who have attained to faith- to
ay"[1]. This is how this dream
eep into my heart and soul.
of gratitude for this divine
ce it to writing and come to
t all horrors in a car accident
nny factors working behind
interpretation of this dream
been channelized into the
hemy in Pakistan. Its capital
ne Penal Code of Pakistan
set afoot through the legal
f God in 1983 and at last in
at Court gave its historic
nmad Ismail Qurashy verses
n is the only punishment for
st the Holy Prophet of God.

ntic Muslim Government of
tted to implementing the
and had come to power on
ie filed an appeal in the
ision of the Federal Shariat
Minister of Pakistan Mian

Muhammad Nawaz Sharif of its implications and, thank God, he took notice of it in time and Government's appeal was dismissed as withdrawn in the year 1990. Thereafter penalty of death for a blasphemer has been settled as irrevocable law of Pakistan. Yet again on 13th September 2005 the Supreme Court reaffirmed its own judgment against the dictum of Lahore High Court which had made some unwarranted amendments in the law of blasphemy in the year 2002. The aforesaid judgement of the Supreme Court of Pakistan is Appendix-A/1.

BASELESS OBJECTIONS TO ISLAMIC LAW OF BLASPHEMY

Christian missionaries and other non-Muslims who are not adequately acquainted with the life history of the holy Prophets often raise baseless objections, saying that if according to Muslim's belief the holy Prophet of Islam was "blessing and mercy for the world", why he punished his enemies instead of forgiving them for atrocities committed against him and his companions.

As a matter of fact the Holy Prophet never avenged himself on anybody for personal vendetta. The Prophet's wife Ummul-Momineen Aishah and record of history corroborate the above statement. What is more, the Valley of Makkah and the mountains of Taif and Yathrab (Madina), the locale of the prophet's activity can unfold all that to an unbaised mind. At Taif when stones were mercilessly being rained on him by the locals and he was bleeding from top to toe, even then he never cursed them or invoked divine retribution on them. Instead he prayed to Allah for their betterment and to put them on the right path. The Makkan pagans had exceeded all limits in their persecution mania and inhuman atrocities against him, never suffered by any other Prophet before. The holy Prophet, along with his Hashmite clan, was subjected to a horrible socio-economic boycott and left languishing for three long hardship-laden years, with a life of privation and in a mountain defile Shub-e-Abu Talib. On one occacion the Prophet's house was besieged by his bloodthirsty enemies so that he might be put to death. He was, therefore, forced to emigrate to Madina. Yet in contrast, he displayed a unique gesture of magnamity, mercy and compassion on the eve of victory over Makkah, unprecedented in the history of mankind. The same unruly and arrogant pagan people of Makkah with their warlords fearfully cast imploring looks at him in the face of retributive justice,

which they expected was g
But the holy Prophet of G
shall be inflicted on you."
this verse of Surah Yusuf (
had the full power to wreal
and every cruelty commi
generously forgave them."
this to their surprise wh
expectation. This was fol
general amnesty. The hous
arch enemy was declared
granted pardon to Wahshi
of Abu Sufiyan) had kil
during the battle of Uh
pardoned Hindah, who ha
Uncle Hamza after havi
battlefield. The Prophet
who had treacherously giv

To be true to one'
able to desist from believ
had taken personal rev
companions, too, reflec
character, which they imb
Messenger of God. Once
Momineen Ali knocked d
ground in a battle and
dagger, at that moment hi
a sudden Ali left him unh
motivated by the sense
enemy of God, but later
sense of revenge involvi
divine cause.

The holy Prophe
from all kind of slavery
God on earth. The savag

LAMIC LAW OF

er non-Muslims who
ıe life history of the
ections, saying that if
Prophet of Islam was
why he punished his
atrocities committed

ophet never avenged
detta. The Prophet's
record of history
is more, the Valley
Taif and Yathrab
ctivity can unfold all
when stones were
e locals and he was
ıever cursed them or
ıstead he prayed to
em on the right path.
all limits in their
cities against him,
before. The holy
was subjected to a
eft languishing for
ife of privation and
. On one occacion
y his bloodthirsty
. He was, therefore,
ntrast, he displayed
and compassion on
precedented in the
and arrogant pagan
rds fearfully cast
retributive justice,

which they expected was going to be administered to them. But the holy Prophet of God declared: "Today no penalty shall be inflicted on you."[2] Maulana Moududi interpreting this verse of Surah Yusuf (Joseph) says: "The holy Prophet had the full power to wreak his vengence on them for each and every cruelty committed by them. But he instead generously forgave them."[3] The Noble Prophet announced this to their surprise which was indeed beyond their expectation. This was followed by his declaration of a general amnesty. The house of Abu Sufyan, previously his arch enemy was declared as a place of sanctuary. He even granted pardon to Wahshi who, on behest of Hindah (wife of Abu Sufiyan) had killed his dauntless Uncle Hamza during the battle of Uhad. So much so that he even pardoned Hindah, who had chewed the liver of his beloved Uncle Hamza after having mutilated his body in the battlefield. The Prophet also forgave the Jewish woman, who had treacherously given him the poisoned food.

To be true to one's conscious one would be hardly able to desist from believing that the Noble Prophet never had taken personal revenge on his enemies and his companions, too, reflected the sublime qualities of character, which they imbibed from the teaching of the last Messenger of God. Once his cousin and son-in-law Amirul Momineen Ali knocked down his powerful opponent to the ground in a battle and was about to kill him with his dagger, at that moment his opponent spat in his face. All of a sudden Ali left him unhurt. To it he explained that he was motivated by the sense of duty alone to fight against an enemy of God, but later, on provocation he feared lest a sense of revenge involving his passions should pollute the divine cause.

The holy Prophet's mission was to liberate man from all kind of slavery and to establish the sovereignty of God on earth. The savages and wicked minds, working on

the ungodly plane, went to extreme to persecute him and to obstruct the path of his historic revolution. This needed supreme efforts to civilize them and to infuse the spirit of human kindness into their hardened souls. The Prophet practically demonstrated to the world his successful achievements for temporal and spiritual welfare which are amazing and unheard of in the known history of the world. The concept of love for humanity and liberation of mankind would have been vague and deficient without the dawn of Islam. Edward Gibbon, renowned historian has justly said: "Through Islam, Prophet Muhammad banished from the Arab within ten years, their hard-heartedness, spirit of revenge, anarchy, female degradation, rivalry lawlessness, usury, drunkenness, infanticide, murderous quarrel and human sacrifice as well as all stupid superstitions. Through that religion he brought down upon this earth the "*Kingdom of Heaven*" so fondly coveted by Jesus.[4]

Apart from indisputable historical stature, the Prophet has to be viewed in the perspective of his transcendental roots as well. For this, he certainly enjoys the most privileged status, which no doubt further illumines into significance due to his perfect model role in social, political and military spheres of human affairs. As we observe special protocol with regard to a political or royal personage, the honour and reverence of such a great universal man and divine messenger transcends all worldly dignitaries.

In Surah Al Ahzab, it has been explicitly said: "Indeed Allah and His Angels send blessings on the Prophet, O you who have believed, you, also should ask and send blessings and peace on him 33.56.[5]

The above-mentioned Quranic verse clearly and emphatically shew the sublime status of the Messenger of God in the eyes of Allah. Quite logically, any sort of

disrespect and contempt fo
belittlement of the supreme
God is embodiment of
attempt on the part of a
penalty for him. So a lawb
punishment Hence if the
contempt of the Prophet of
infringement of human rig
amounts to character assa
more vicious and painful t
on him. The entire Muslim
highly sensitive issue a
forever.

In 1994, when the
(Urdu version) was publis
was received by the auth
Religious Affairs Islam
international institutions w
blasphemy law in Pakist
Law experts was also soug
is what is the scope of b
British legal framework i
targeted on the author star
institutions of human right
as Chairman of World As
moved the Federal Sha
punishment for the offenc
accordance with the Qur
practice of holy Prophet
Pakistan. The Federal Sh
Shariat petition declarin
blasphemer. The Federal
the Supreme Court agains
warning of the author to th
was withdrawn by the
drafted by the author was

e to persecute him and to
revolution. This needed
nd to infuse the spirit of
ened souls. The Prophet
world his successful
iritual welfare which are
own history of the world.
anity and liberation of
and deficient without the
renowned historian has
net Muhammad banished
their hard-heartedness,
ale degradation, rivalry
infanticide, murderous
s well as all stupid
he brought down upon
" so fondly coveted by

historical stature, the
he perspective of his
his, he certainly enjoys
doubt further illumines
t model role in social,
human affairs. As we
d to a political or royal
ence of such a great
r transcends all worldly

s been explicitly said:
send blessings on the
l, you, also should ask
33.56.[5]

mic verse clearly and
us of the Messenger of
logically, any sort of

disrespect and contempt for him would come to mean the belittlement of the supreme master and since the Prophet of God is embodiment of Divine law, any such ignoble attempt on the part of a person would entail a serious penalty for him. So a lawbreaker should not escape severe punishment. Hence if the death penalty is imposed for the contempt of the Prophet of God, it must not be counted as infringement of human rights as propagated in the west. It amounts to character assassination of a person which is more vicious and painful than a physical murderous attack on him. The entire Muslim Ummah has a consensus on this highly sensitive issue and this will remain unaltered forever.

In 1994, when the first edition of the author's book (Urdu version) was published on blasphemy law, a letter was received by the author from the Federal Ministry of Religious Affairs Islamabad, which said that the international institutions were making queries regarding the blasphemy law in Pakistan. The cooperation of Muslim Law experts was also sought for this purpose. The question is what is the scope of blasphemy law in American and British legal framework i.e. against Jesus Christ. Criticism targeted on the author started pouring in from the so called institutions of human rights and NGOs, because the author, as Chairman of World Association of Muslim Jurists, had moved the Federal Shariat Court for its verdict on punishment for the offence of Islamic law of blasphemy in accordance with the Qur'an and Sunah's directives and practice of holy Prophet, which is the supreme law of Pakistan. The Federal Shariat Court (FSC) accepted the Shariat petition declaring the penalty of death to the blasphemer. The Federal Government went up in appeal to the Supreme Court against the Judgment of FSC but on a warning of the author to the then Prime Minister, the appeal was withdrawn by the Federal government and the bill drafted by the author was moved in National Assembly by

a pious lady Apa Nisar Fatima MNA, which was passed by the parliament in due process and came into force after assent of the President of Pakistan adding section 295-C to the Pakistan Penal Code in the year 1991. However a so called secular group branded it as violation of fundamental rights. Yet all such apprehensions and criticism of the group were found baseless and bereft of substance. The main cause was their lack of knowledge of Divine law of blasphemy, which involves more hazards than ignorance. It is worth mentioning that the blasphemy law in Islam is not only related to the holy Prophet but to all other Prophets of God including prophet Jesus Christ. The people of the book must be knowing that according to the Bible the use of scurrilous language for the prophets and their deputies, equally involves death penalty. Can the Christians, despite their belief in their holy book set aside such an explicit law prescribed in the Bible the law reads as under:

"And the man that will do presumptuously, and will not hearken unto the priest that standeth to Minster there before the Lord, thy God or unto the judge, even that man shall die:" "And all the people shall hear, fear, and do no more presumptuously."[6] If the Islamic Penal Law has fixed severe punishment (Hadd) for any crime, equally stringent conditions are set therein for proving its occurrence. In fact the criterion of evidence with regard to the Hudood Punishment is more strict and extraordinary than that of ordinary law. The witnesses, whose evidence is acceptable in Hudood cases, are supposed to have abstained from major sins and to be truthful and just-minded in their social behaviour, complying with a yardstick of foolproof testimony too. If such evidence is not available then the blasphemer shall be punished in accordance with Islamic law of 'Tazeer' as propounded by the Supreme Court of Pakistan a case prosecuted by the author namely, Faqir Ullah Vs Khaliquzzaman wherein it is held that the case which did not come within the perview of Hudood law of

Qisas then it shall be deal
the land keeping in view
culprit was awarded the
'tazeer' in review filed b
of murdered person.[7] I
intention or motive is the
Islamic law. Derogator
impeachable if made de
any prophet. As for Is
expounded by a well-kn
all actions are to be j
Shariah, punishment for
the motive behind it.
knowledge of the lear
introduced intention and
later in 18th century
characteristic of moder
punishment. The Rom
Christianity, had no suc
concerned. An interestin
England in this regard.
died. To it the "Mu
punishment of death, w
down its trunk.

Besides, from th
doubt also goes to the
Hadith, which says:
avoided where there is
the blasphemy law cam
sentenced to death by
Court or the Supreme
of blasphemy, as the pr
prove the case beyond r
no conclusive proof fo
decision as required by

ma MNA, which was passed by
:ess and came into force after
akistan adding section 295-C to
1 the year 1991. However a so
d it as violation of fundamental
hensions and criticism of the
; and bereft of substance. The
of knowledge of Divine law of
more hazards than ignorance. It
: blasphemy law in Islam is not
phet but to all other Prophets of
; Christ. The people of the book
ording to the Bible the use of
: prophets and their deputies,
lty. Can the Christians, despite
k set aside such an explicit law
aw reads as under:

'ill do presumptuously, and will
that standeth to Minster there
unto the judge, even that man
ple shall hear, fear, and do no
he Islamic Penal Law has fixed
'or any crime, equally stringent
r proving its occurrence. In fact
with regard to the Hudood
and extraordinary than that of
, whose evidence is acceptable
posed to have abstained from
and just-minded in their social
h a yardstick of foolproof
ence is not available then the
ed in accordance with Islamic
ided by the Supreme Court of
by the author namely, Faqir
herein it is held that the case
the perview of Hudood law of

Qisas then it shall be dealt with, in accordance with laws of the land keeping in view the principles of Shariah. So the culprit was awarded the punishment of death by way of 'tazeer' in review filed by the author on behalf of the heirs of murdered person.[7] Let it be made clear here that intention or motive is the basic ingredient of an offence in Islamic law. Derogatory remarks shall be considered impeachable if made deliberately, involving contempt of any prophet. As for Islamic doctrine, intention can be expounded by a well-known prophetic saying: "Certainly all actions are to be judged by an intention."[8] In the Shariah, punishment for any crime must be conditioned by the motive behind it. This fact must be within the knowledge of the learned people that Islam had first introduced intention and motive in the domain of law and, later in 18th century it became the fundamental characteristic of modern law dealing with crime and punishment. The Roman law, which was adopted by Christianity, had no such concept so far the penal law is concerned. An interesting decision was given by a court of England in this regard. A man fell down from a tree and died. To it the "Murderer tree" was given capital punishment of death, which was, materialised by cutting down its trunk.

Besides, from the Shariah standpoint, the benefit of doubt also goes to the accused. Here again we refer to a Hadith, which says: "Hudood punishments should be avoided where there is doubt."[9] Above all since 1991 when the blasphemy law came into force, nobody has ever been sentenced to death by the High Courts, Federal Shariat Court or the Supreme Court of Pakistan on the indictment of blasphemy, as the prosecution or complainant could not prove the case beyond reasonable doubt or where there was no conclusive proof for conviction or sufficient basis for decision as required by Shariah.

In fact the Blasphemy law ensures life and security of all those people against whom the charge of offence is not proved. Otherwise when the British government declared the annulment of the Blasphemy law in India in 1860 after the fall of Mughal Empire, the fearless and sensitive souls took the law in their own hands and kept disposing of those who gave vent to contempt and disrespect for the holy Prophet. Ironically, when this Islamic law was declared inapplicable in India, the law against the blasphemy of Jesus Christ was in force contemporaneously in England and it is still part of its common law and also included in its statutory book as an offence against religion and public worship.[10] We have given case law in the relevant Chapter of this book.

When the law against the denigrators of the holy Prophet was enforced in Pakistan, the Hadood punishment came within purview of courts of law. Obviously, an accused would face punishment in that case only when the court has gone through all the recorded evidence and his guilt is proved beyond any reasonable doubt. The Hadood punishment under the prophet's denigration won't come into force if the required witnesses are not present or available or fail to conform the Islamic criterion of testimony. However, where the Hadood conditions are not fulfilled the accused, whose guilt by the circumstantial or other cogent evidence is proved, would be awarded punishment under the Islamic law of 'tazeer' in accordance with consensus of opinion among the jurisprudents regarding the following edict:

"What has not been explicitly quashed through the Qu'ran, Allah gets it quashed through the power."[11] Here power means a lawful competent authority in Islam, which is invested with the power of enforcing the rule of Shariah so as to check the spread and contamination of evils in society. The Supreme Court of Pakistan has considered this

aspect of Islamic edict in the
case.

Instead of getting
Christian or any other con
blasphemy law because any
words spoken or written a
prophets of the book has nov
under Islamic law of blasp
holy Prophet of Islam incurs
case of other Prophets becau
to believe all of them as tr
same punishment has been
As regards the veneration of
Islam and other revealed rel
point. Any disrespect for the
Even the leaders and gu
respectable personages for t
disrespect for them comes
no believer, for that matt
wickedness. Moreover, no
his own hands when there
against the contemnor.

In this book, we l
obscene, sexy and treachero
Christ"- produced by a Jew
The actor who played out a
haven forbid, having sex w
staying in London with
Barrister Mr. Saleem Qure
shown in the cinema houses
religious sensitivities. We
Christ, being the prophet o
Muslims and Christians su
banned. On our appeal se

w ensures life and security
m the charge of offence is
the British government
Blasphemy law in India in
Empire, the fearless and
their own hands and kept
vent to contempt and
et. Ironically, when this
olicable in India, the law
us Christ was in force
and it is still part of its
in its statutory book as an
blic worship.[10] We have
apter of this book.

e denigrators of the holy
ı, the Hadood punishment
of law. Obviously, an
n that case only when the
ecorded evidence and his
nable doubt. The Hadood
denigration won't come
sses are not present or
he Islamic criterion of
adood conditions are not
by the circumstantial or
ed, would be awarded
of 'tazeer' in accordance
nong the jurisprudents

itly quashed through the
ough the power."[11] Here
uthority in Islam, which
rcing the rule of Shariah
ntamination of evils in
istan has considered this

aspect of Islamic edict in the above cited Khaliq-uz-Zaman case.

Instead of getting frightened or dismayed, the Christian or any other community should welcome the blasphemy law because any slanderous or contemptuous words spoken or written against Jesus Christ or other prophets of the book has now become a punishable offence under Islamic law of blasphemy. The blasphemy of the holy Prophet of Islam incurs the same punishment as in the case of other Prophets because the Muslims are called upon to believe all of them as true messengers of God and the same punishment has been prescribed in the holy Bible.[12] As regards the veneration of the prophets of Scriptures both Islam and other revealed religions share an identical stand point. Any disrespect for them is unthinkable for Muslims. Even the leaders and guides of other religions are respectable personages for the Muslims. Any expression of disrespect for them comes under Shariah interdiction and no believer, for that matter, has ever committed such wickedness. Moreover, no Muslim will take the law into his own hands when there is a recourse to court of law against the contemnor.

In this book, we have spotlighted an extremely obscene, sexy and treacherous film, "The last temptation of Christ"- produced by a Jew film-maker Martin Scorsese. The actor who played out as Christ in the film was shown, haven forbid, having sex with a prostitute. In 1988, I was staying in London with my brother, a London based Barrister Mr. Saleem Qureshi when this movie was being shown in the cinema houses of England. That wounded our religious sensitivities. We took the plea that since Jesus Christ, being the prophet of God, was venerable for both Muslims and Christians such a profane movie should be banned. On our appeal several groups of Christians and

even the Jews staged a silent protest in London. At last the film had flopped.

We have no reflection upon the good intentions of the followers of the Christian community and other minorities. If they are not intent on insulting our Prophet they need not harbour any misgivings. Will the law take its course against them without any rhyme or reason? Will the judiciary of Pakistan send innocent people to jails and gallows, who are free from the blasphemous guilt? Or should we understand that they are demanding an open licence for insulting and blaspheming the Prophet of Islam? If no such hypothesis is tenable. Then what is the justification for demanding the repeal of the Blasphemy Law? Only the perverted minds with mischievous motives may attempt to mislead the innocent and law abiding citizens. They wanted to detract them from the established grund norms of the constitution of Islamic Republic of Pakistan. This would cuase damage to the democrate set up of the state

CH

Blasphemy Law and H
Perspective

Currently the issue
brought on the front burner t
witness that it was Islam wh
the concept of human rights.
their minions and agents in
covert aversion for Islam, au
the Greek philosophers of
glorify them. Surprisingly, th
place at all in their system of

Plato's Republic

Interestingly enoug
leading Greek philosopher, s
philosophers have the right
citizens should be put at th
The King of Sicily, who
utopian plan, which resulte
ruler and the philosopher.[1
power is arrogated to the
concept of human equality
separate rules for salves and
equality between man and
derogatory light. Following
322 BC) divides society in
vehemently opposes the pa
political power. This plainly
roots of human rights are tr
Indeed such an anachronisti
honesty on the part of West
Some of them, failing to fi
to sift out the required ma
Europe so as to flaunt Magn

est in London. At last the

on the good intentions of
community and other
on insulting our Prophet
ngs. Will the law take its
ıyme or reason? Will the
ent people to jails and
blasphemous guilt? Or
are demanding an open
ng the Prophet of Islam?
ole. Then what is the
epeal of the Blasphemy
ith mischievous motives
ocent and law abiding
em from the established
of Islamic Republic of
to the democrate set up

CHAPTER VI

Blasphemy Law and Human Rights In Global Perspective

Currently the issue of human rights has been brought on the front burner the world over. History stands witness that it was Islam which originally gave mankind the concept of human rights. Yet occidental wiseacres and their minions and agents in Islamic countries, who have covert aversion for Islam, audaciously try to give credit to the Greek philosophers of fifth century B.C. for it and glorify them. Surprisingly, the idea of human rights has no place at all in their system of thought.

Plato's Republic

Interestingly enough, Plato (428-348BC), the leading Greek philosopher, says in his "Republic" that only philosophers have the right to rule the State and all other citizens should be put at their disposal as serving slaves. The King of Sicily, who invited Plato laughed at his utopian plan, which resulted in bitter quarrel between the ruler and the philosopher.[13] According to Plato absolute power is arrogated to the ruling elite alone. He had no concept of human equality. In his book, he has framed separate rules for salves and free citizens. Plato also rejects equality between man and woman, painting the fair sex in derogatory light. Following suit his pupil Aristotle (384-322 BC) divides society into higher and lower strata and vehemently opposes the participation of general public in political power. This plainly puts at a loss to know how the roots of human rights are traced back to the pagan Greece. Indeed such an anachronistic discovery betrays intellectual honesty on the part of Western researchers and orientalists. Some of them, failing to find substantive evidence thereof to sift out the required material, turn to the 12th century Europe so as to flaunt Magna Carta as the charter of human

liberty, conveniently forgetting that it had come into existence long after the dawn of Islam.

Magna Carta

Those concerned with sober history and political science are well aware of the real worth of Magna Carta. Proclaimed in 1215 by King John, it was indeed give-and-take agreement between the monarch and the rebellious barons so that it may serve their mutual interests. In this regard an authentic testimony comes to us from the authors of New Encyclopaedia Britannica,[14] which term it a document safeguarding the selfish interests of feudal lords. Human Rights aside, even it had no clause to secure the rights of general British people themselves. But after some time the barons also had to wash hands of the royal concessions because Machiavellian views proved greatly helpful in consolidating the sovereign hold. This is the charter of human liberty in early 13th century of which Europe feels so proud!

In the 17th century, however, a political strife against the unfathered royal powers was again triggered off by Hobbes (1588-1679-AD).[15] John Locke (1632-1704-AD)[16] Voltaire (1694-1788-AD)[17] Rousseau(1712-1778-AD)[18] Hobbes was one of the English philosophers who opposed Aristotelian philosophy and was deeply attracted to the man, society and human affairs. John Locke defended more the rights of people than those of the King. His democratic ideals influenced the pioneers of American Revolution. Voltaire and Rousseau are known as champions of human freedom. Voltaire had studied Islamic literature and was an admirer of Sa'di as a human reformer. Rousseau's treatise "*Da contract social*" (the social contract) considered to be the Bible of French Revolution and it has caused storm politically and brought opposition of the church. According to his theory "*Freedom is inherent in freely accepted law*".

But the pity is how
blink at the human rights
Islam in his Farewell (Ha
delivered from the top of M
mankind fourteen hundred
of over one hundred thou
indeed, is the greatest a
human rights, which was
first time in the recorded hi
its spirit prevailed throug
continents of Europe, Asi
Islam.

Prince Charles Speech

In the 8th century w
the Dark Ages, Islam burs
dazzling light of intellect
breakthrough, illumined t
In his address at the Ox
Charles, the Prince of Wa
this historical debt of g
initiating a process of l
known as the Renaissanc
"Many of the traits on w
came to it from Muslim S
borders, the techniq
anthropology, etiquette, l
came from this great city

Again the Prince
subsequent speech. He sa
Islam and paid glowin
European civilization
academic complex of t
Education in 2003. This
by our learned brother
striving hard for revival

that it had come into
slam.

ber history and political
al worth of Magna Carta.
n, it was indeed give-and-
narch and the rebellious
mutual interests. In this
nes to us from the authors
ica,[14] which term it a
interests of feudal lords.
no clause to secure the
emselves. But after some
ash hands of the royal
an views proved greatly
reign hold. This is the
13th century of which

ever, a political strife
s was again triggered off
hn Locke (1632-1704-
[7] Rousseau(1712-1778-
nglish philosophers who
nd was deeply attracted
n affairs. John Locke
than those of the King.
ie pioneers of American
seau are known as
aire had studied Islamic
di as a human reformer.
t social" (the social
e of French Revolution
and brought opposition
s theory "*Freedom is*

But the pity is how placidly the Europeans afford to blink at the human rights proclaimed by the Prophet of Islam in his Farewell (Hajjatul Wida) sermon which he delivered from the top of Mount in the vale of Arafat to the mankind fourteen hundred years ago before the gathering of over one hundred thousand of his companions. This, indeed, is the greatest and unique universal charter of human rights, which was introduced to the world for the first time in the recorded history of mankind. What is more, its spirit prevailed throughout the Muslim countries and continents of Europe, Asia, and Africa in the heyday of Islam.

Prince Charles Speech

In the 8th century when Europe was still fumbling in the Dark Ages, Islam burst upon the Spanish scene with its dazzling light of intellectual disciplines and, heralding a breakthrough, illumined the seats of learning in Andalusia. In his address at the Oxford University in 1993, Prince Charles, the Prince of Wales open-heartedly acknowledged this historical debt of gratitude to the role of Islam in initiating a process of liberalization and enlightenment, known as the Renaissance, in Europe. In his own word: "Many of the traits on which modern Europe prides itself came to it from Muslim Spain. Diplomacy, free trade, open borders, the techniques of academic research, anthropology, etiquette, hospitals, alternative medicine, all came from this great city of cities (Cordoba)."[19]

Again the Prince reiterated the same remarks in his subsequent speech. He said that Europe is deeply in debt to Islam and paid glowing tributes to Muslims' role in European civilization when he inaugurated the new academic complex of the Markfield Institute of Higher Education in 2003. This Islamic Foundation of UK, headed by our learned brother Professor Khurshid Ahmed is striving hard for revival of Islamic knowledge in Europe.[20]

Rousseau's Social Contract and its Islamic Background:-

Looking back historical heritage, the Islamic disciplines of philosophy and science reached their peak in Andalusia and touched off the stirrings of the spirit of civil liberty and equality of man among European masses to regain their fundamental rights. They started a struggle against the despotic rule of tyranny and social injustice. Its fruits started cropping up after the 11th century. Rousseau himself too benefited from the cultural and social outpouring of Islam. Perhaps a few persons have the knowledge of this fact that steeped in the spirit of Islamic teachings, he had detached himself from Catholic Church. He would often greet his friends with Islamic word "*Salaam*". The church, through an edict, declared him renegade in view of his attack on papacy and extraterritorial loyalties. This made Rousseau to lead a life of banishment and in order to save his life he kept running from one country to another with a different name of "*Renou*". His works were banned and ordered to be burnt. This is true that his theory of social contract reflects a glimmer of Islamic thought, but without a touch of realism. In fact it presents a romantic and fictional picture of things, mostly relating to the safeguards of the French people without reference to humanity at large. His doctrine almost proverbial is considered to be a democratic ideal: *"Man is born free but he is being kept in chains everywhere by economic, political and hierarchical imbalance and inequality."* His doctrine is only a part of a Quranic verse related to one of the phases of human life. Yet its positive and bright aspect was beyond the reach of his imagination. The Quranic verse explains the purpose lying behind the Prophet's advent in the world. That purpose was realized in his own lifetime as described by the noble Quran in Surah Al-A'raf: "Those who shall follow the (last) Apostle, the unlettered Prophet, whom they shall find described in the

and [illegible]

...eritage, [illegible]
...e reached [illegible]
...gs of the [illegible]
... European [illegible]
...ey [illegible]
...nd soci[illegible]
...lth [illegible]
... cultur[illegible]
...ew [illegible]
...n the [illegible]
...rom Cal[illegible]
... with [illegible]
... edict declared [illegible]
...k on paper [illegible]
...ousseau to lead a life
...s life he kept [illegible]
... a different name or
...l ordered to be burnt.
...l contract reflects a
...ut a touch of realism
...onal picture of things.
... the French people
.... His doctrine almost
...eratic ideal: "*Man is*
...*ains everywhere by*
...*al imbalance and*
...t of a Quranic verse
... life. Yet its positive
...n of his imagination.
...ose lying behind the
...pose was realized in
...oble Quran in Surah
...e (last) Apostle, the
...nd described in the

[illegible]

[illegible] scholar Muhammad Asad writes [illegible] that those [illegible] and [illegible] particular [illegible] and particular stage [illegible] achieved [illegible] universal character [illegible] of the last Prophet, Muhammad.[17]

As a matter of fact, the Quran here de[illegible] a particular group of people, race or country [illegible] whole of mankind is revealed in the next verse: "Say [O Muhammad]: "O mankind! Verily, I am an apostle of God to all of you [sent by Him] unto whom the dominion over the heavens and the earth belongs! There is no deity save Him; He alone grants life and deals death! Believe, then, in God and His Apostle the unlettered Prophet who believes in God and His words - and follow him, so that you might find guidance!"

"Each of the earlier Prophets" writes Muhammad Asad while commenting on this verse "was sent to his and only his community: thus the Old Testament addresses itself only to the Children of Israel, and even Jesus, whose message had a wider bearing, speaks of himself as "sent only unto the lost sheep of the house of Israel (Methew xv:24) In contrast, the message of the Quran is universal that is addressed to mankind as a whole. It is for this reason

that Muhammad is described in The Quran as an evidence of God's grace towards all the worlds, towards all mankind, and as "the seal of all Prophets" in other words, the last of them."[24]

Farewell Sermon–Thhe First Charter of Human Rights

Fettered by undue restrictions, injustice and socio-economic inequalities man was groaning under the burden of slavery. The Prophet emphasized equilibrium and evenness in every dimension of human life and infused a true sense of justice in the heart of man. To promote and articulate this noble cause he practically took revolutionary steps, restoring to man his natural human rights of which the mankind had been deprived of since ages. The sanctity of human dignity is enshrined in the historic and unique proclamation he made on the occasion of the Farewell address from the mount of Arafat on 9th Zil Haj, 10th of Hijrah (March 632 A.D). That abolished all obscurantist myths and practices and heralded human progress and human liberty. The Prophet gave this good tiding to the world:

"And Behold, all the customs of the days of ignorance (Jahilia) are trampled under my feet"[25]

About the equality of men and human dignity he declared: "O men! Behold, you have one God and your father is also one. This makes you one and equal. No Arab has any superiority over a non-Arab and vice versa. No white is superior to a black in any way and vice versa."[26]

Human being. the progeny of Adam, are all equal. Unity of mankind, prior to this revolutionary proclamation, had been torn to shreds. Men had been divided on the basis of linguistic ethinic, geographical of borders, race, colour and creed. Prompted by those artificial demarcation and discrimination some considered themselves superior to others and brought the weak and the downtrodden under

their sway or sphere of influe
of discriminatory policy
subjugated coloured people a
the barbaric past which we w
policy of the racist whites in
The oppressed yet unbend
tremendous sacrifices till th
colonialists under the leaders
is no place for racism in Isl
fourteen centuries ago, had
pernicious germs. Establish
human equality and brotherh
"All human beings are equa
Through this unprecedented
had, indeed, catapulted the
times. And thus he had mira
contemporary society.

Doubtless, the Pr
dimensions of time into cons
The reign of the four ri
exemplary for justice, huma
Despite the heavy responsi
Caliph Abu Bakr, follo
companions, chose to take
from Baitul Mall, (public t
meet the needs of a commo
Umar the judiciary was se
that courts could refrain fro
administrations and be enab
human rights independently

Freedom: Birth right of m

When the son of Eg
subjected a coptic to w
redressing the wrongdoing

he Quran as an evidence
rlds, towards all mankind,
n other words, the last of

arter of Human Rights

ons, injustice and socio-
oaning under the burden
asized equilibrium and
uman life and infused a
of man. To promote and
ically took revolutionary
human rights of which
since ages. The sanctity
the historic and unique
casion of the Farewell
on 9th Zil Haj, 10th of
olished all obscurantist
l human progress and
this good tiding to the

toms of the days of
er my feet"[25]

and human dignity he
ve one God and your
ne and equal. No Arab
b and vice versa. No
y and vice versa."[26]

f Adam, are all equal.
itionary proclamation,
n divided on the basis
borders, race, colour
cial demarcation and
mselves superior to
downtrodden under

their sway or sphere of influence. This led to promulgation of discriminatory policy of the whites towards the subjugated coloured people and it was the same spillover of the barbaric past which we witnessed in the worst apartheid policy of the racist whites in South Africa in 20th century. The oppressed yet unbending blacks, however, made tremendous sacrifices till they wrested freedom from the colonialists under the leadership of Nelson Mendela. There is no place for racism in Islam. In fact the holy Prophet, fourteen centuries ago, had taken care to wipe out all its pernicious germs. Establishing a concrete example of human equality and brotherhood of mankind, he had said: "All human beings are equal like the teeth of a comb."[27] Through this unprecedented revolutionary advancement he had, indeed, catapulted the ancient world into the modern times. And thus he had miraculously bottled up the spirit of contemporary society.

Doubtless, the Prophet's period, taking all dimensions of time into consideration, is the best in history. The reign of the four rightly guided Caliphs is also exemplary for justice, human equality and dignity of man. Despite the heavy responsibilities of state administration, Caliph Abu Bakr, following the insistence of his companions, chose to take only as much daily allowance from Baitul Mall, (public treasury) as could be enough to meet the needs of a common man. During the caliphate of Umar the judiciary was separated from the executive so that courts could refrain from playing second fiddle to the administrations and be enabled to protect and take care of human rights independently.

Freedom: Birth right of man in Islam:-

When the son of Egypt's Governor Amr bin al-Aas subjected a coptic to whipping, Caliph Umar, while redressing the wrongdoing in a reverse way, looked at the

governor angrily and passed a remark which lay at the heart of Charter of Human Rights of the present times.

The Caliph said, "Amr! Since how long have you started enslaving people, who were born free by their mothers?" In his words, indeed rang the voice of God: "O Mankind! Beconscious of your sustainer, who has created you out of one living entity".[28] This verse stresses the common origin and brotherhood of the human race.

In the 18th Century, French Philosopher Rousseau reproduced the same remarks of the Caliph Omar that "the man is born free", Attributing it to Rousseau, western thinkers consider it to be the corner stone of the French Revolution.

Similarly, tall claims are made about the Constitution of United States. In 1776 Jefferson drafted the Declaration of Independence. When there was widespread public criticism for omission of fundamental rights of the people, the defenders of the Constitution introduced a Bill of Rights which is said to be the great achievement of American democracy to protect the citizens against the Government actions. It went into effect in 1791. France adopted the same bill after making certain adjustments in it. In 1926, the League of Nations passed a resolution for the abolition of the slave trade by imposing restrictions in a gradual process. This was the same anti slavery approach which had been pioneered by Islam in 7th century and within short span of less then 50 years slave trade was remarkably reduced. It was the Prophet of Islam who gave the slaves the status of freemen. So much so that Bilal, a slave Negro, was his close companion. Following his foot steps, the believers of the Prophet chose the slaves as powerful head of states. It is historical fact that the slave dynasty of Muslims ruled the subcontinent of India[29] Sultan Shamsuddin Al-Tutmash, a slave from Bukhara, and another slave Ghiyasuddin Bulban, the pious and renowned

king ruled over India in 1
people for their piety an
Mamlook (Muslim slaves) r
1250 to 1517 A.D. dispen
their periods.[31] In Spain the
one of the successors to de
state, who was considered
devout Muslim, as they di
Rehman.[32] According to St
were the people who wer
traders and sold while stil
many respects to the corps
successors introduced in Eg
the powers as Sultan.[34]

U.N, Its Charter and its R

The United Nations
of World War II in the
containing the reaffirma
fundamental rights of hum
document without any gua
rights. However the Gener
the Universal Declaration
1948. Some of the article
reproduced as under: -

Article 1:	All human b dignity and conscience another in a
Article 2:	Everyone i freedom set
Article 3:	Everyone h security of p
Article 4:	No one shal

remark which lay at the heart
the present times.

r! Since how long have you
o were born free by their
d rang the voice of God: "O
r sustainer, who has created
".[28] This verse stresses the
d of the human race.

ench Philosopher Rousseau
of the Caliph Omar that "the
ig it to Rousseau, western
corner stone of the French

s are made about the
n 1776 Jefferson drafted the
When there was widespread
of fundamental rights of the
nstitution introduced a Bill
: the great achievement of
ct the citizens against the
nto effect in 1791. France
ng certain adjustments in it.
passed a resolution for the
imposing restrictions in a
same anti slavery approach
Islam in 7th century and
50 years slave trade was
Prophet of Islam who gave
ı. So much so that Bilal, a
panion. Following his foot
ophet chose the slaves as
istorical fact that the slave
ocontinent of India[29] Sultan
lave from Bukhara, and
an, the pious and renowned

king ruled over India in 13th century[30] and loved by the people for their piety and good governance. Similarly Mamlook (Muslim slaves) ruled over Egypt and Syria from 1250 to 1517 A.D. dispensing justice for all throughout their periods.[31] In Spain the slaves had authority to declare one of the successors to deceased Sultan as a ruler of the state, who was considered by the people to be a just and devout Muslim, as they did on the death of King Abdur Rehman.[32] According to Stanely Lane Poole,[33] these slaves were the people who were brought to Spain by Greek traders and sold while still children. They resembled in many respects to the corps of Mamlook, which Saladin's successors introduced in Egypt, subsequently they attained the powers as Sultan.[34]

U.N, Its Charter and its Role

The United Nations came into existence at the heels of World War II in the year 1945 with the charter containing the reaffirmation of the "Faith in the fundamental rights of human being." But it was a vague document without any guarantee for protection of human rights. However the General Assembly of UN proclaimed the Universal Declaration of Human Rights in the year 1948. Some of the articles of the Declaration are being reproduced as under: -

Article 1: All human beings are born free and equal in dignity and rights. They are endowed with conscience and should act towards one another in a spirit of brotherhood.

Article 2: Everyone is entitled to all rights and freedom set for in this Declaration.

Article 3: Everyone has the right to life, liberty and security of person.

Article 4: No one shall be held in slavery or servitude.

Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6: Everyone has the right to recognition everywhere as a person before the law.

In the year 1951, the General Assembly of UN passed a resolution prohibiting the slavery.

Judging by appearance, the British Magna Carta, the French Revolution, the American Bill of Rights, above all, Charter of the United Nations, are man-oriented documents with inherent infirmities. Yet if we go deeply into all these documents and Articles of the UN Declaration, it would become crystal clear that their original source is the Quranic teachings and they all echoed albeit imperfectly. The Prophet's message for the welfare of humanity pronounced in his Farewell address to the mankind. The Quran and this unique prophetic address have guaranteed the basic human rights directly related to human dignity. What is most significant, these rights as enunciated by Islam do not at all bear the stamp of man's selfish will. Instead there are Divine rules and nobody is privileged enough to abrogate or to make any amendment or alteration therein. Nor can they be put in abeyance by any dictator or under any state of emergency, because they transcend space and time and are binding on all people in all circumstances. Looking back into the historical perspective, all citizens of an Islamic State, regardless of cast, colour race, religion and territorial specification, have enjoyed these rights in every phase of Islamic rule, not alone in the Prophetic era. True, the laws and constitutions of Europe, U.S., Russia and other secular states of the world as well as the resolutions and human rights Charter of the U.N. speciously bring in the wording of freedom, liberty, equality, protection of life, honour and property and other human rights but without any practical relevance.

Rather the powerful nations h
the human rights in relation t
very nose of international comm

In the recent past, t
subjected the defenceless peo
pogrom, committing extremely
which are unparalleled even i
history. What is worse, despit
world body Bosnia was interdi
its defence and security where
and unchecked supply of we
cohorts. The U.N did not both
crimes of the powerful n
community of Bosnia.

Kashmir Affairs

Coming to Kashmir
Human Rights was adopted, t
several resolutions, giving to
right of self-determination a
people of Kashmir have been
response the Indian governm
right by use of military force.
to this violation of the Human

Palestine

Similarly in Palestine,
of Human rights in a g
Palestinians in indiscriminate
houses without feeling any
worse, the U.N. conscience re
over this grim-drama. U.N. ro
predecessor League of Natio
man has now touched the lo
retrieval. It seems that the wh
is going to commit suicide a

Rather the powerful nations have been flagrantly flouting the human rights in relation to weaker nations under the very nose of international community of nations.

In the recent past, the troops of Serbia have subjected the defenceless people of Bosnia to a merciless pogrom, committing extremely wicked and immoral crimes which are unparalleled even in the dark phases of human history. What is worse, despite its being a member of the world body Bosnia was interdicted from acquiring arms for its defence and security whereas the aggressors had a free and unchecked supply of weapons from Russia and her cohorts. The U.N did not bother to take notice of the war crimes of the powerful nation against the weaker community of Bosnia.

Kashmir Affairs

Coming to Kashmir issue, since the Charter of Human Rights was adopted, the United Nation has passed several resolutions, giving to the people of Kashmir the right of self-determination and to hold a plebiscite. The people of Kashmir have been demanding this right but in response the Indian government has openly denied this right by use of military force. Yet, U.N. is a silent spectator to this violation of the Human Rights.

Palestine

Similarly in Palestine, Israel is committing violation of Human rights in a ghastly fashion, killing the Palestinians in indiscriminate firing and bulldozing their houses without feeling any scruples of conscience. Still worse, the U.N. conscience remains placid and undisturbed over this grim-drama. U.N. role is more deplorable than its predecessor League of Nations because the indignity of man has now touched the lowest ebb beyond all hopes of retrieval. It seems that the whole world along with its U.N. is going to commit suicide and if survived, the man will

find himself back in the stoneage. In fact there are no effective moral sanctions which may force the world body to shun parochialism and safeguard the collective interests of humanity. In this dreadful scenario an inspirational positive voice rings out from the Quran when it proclaims: "That if any one slays a human being, unless it be for murder or for spreading corruption on earth, it would be as though he had slain all the mankind. If anyone saves a life, it shall be as though he had saved the lives of all mankind.[35]

Quranic Injunctions

A person with an objective outlook will have no hesitation to admit that the noble Quran conveys a message for the healthy growth and cohesion of human society, saving it from the erosion of self-divisive and centrifugal tendencies and integrating human beings into Divine cosmic nucleus.

Quran protects the life of man on this planet. Since the entire mankind is like a single unit in the sight of God, He puts the life of an individual at par with the collective life of creation. Therefore, in Islam, a murderer faces death penalty in this world and eternal hell-fire in the hereafter. Doubtless, a true believer cannot think of killing an innocent individual because if he gets of scot-free in this world, there won't be an escape in the next world. Islam vouchsafes to an individual an inalienable right of protecting his life for no other reason than being a human being alone. Factually speaking, non-Muslims in Pakistan or minorties of Islamic countries should have no reason to feel perturbed about the Islamic law.

The Blasphemy law has, indeed, provided them with protection and legal safeguards. Islam is a religion of peace and wants peace to prevail in human life. Since chaos and oppression are the exact antithesis of peace and

security, Islam not only det
vehemently. On it the Quran
worse than killing (2:190)."[36]

Taking things to the
mischief which result in wars
lives, and those who escape
emotional traumas for odious
and dignity. Speaking ill of th
sever penalty because this m
serious unrest and turmoil in s
of man have been ackno
Declaration of Human Rights
obligation not to insult and
would logically mean a s
fundamental right. Above all,
delicate and sensitive when a
Prophet of Islam is made an
this hurts the susceptibilities
none is dearer, respectable a
They can put everything, inclu
for his sake. Historically ar
Prophet valued human dig
evidenced by his Farewell add
raises the image and respe
upholder of human rights in th
of history. Never in history M
the Prophet of God go scot-fr
that if the spectre of an evil
must immediately be addresse
of corruptibility.

The law of blasphemy
the cancerous effects of a gri
chaos in the society splitting
the Divine scheme of things
violation of human rights? Y

ge. In fact there are no
ay force the world body
d the collective interests
cenario an inspirational
Quran when it proclaims:
being, unless it be for
on earth, it would be as
d. If anyone saves a life,
saved the lives of all

e outlook will have no
Quran conveys a message
sion of human society,
-divisive and centrifugal
an beings into Divine

an on this planet. Since
unit in the sight of God,
t par with the collective
, a murderer faces death
ell-fire in the hereafter.
ot think of killing an
gets of scot-free in this
n the next world. Islam
inalienable right of
son than being a human
on-Muslims in Pakistan
hould have no reason to
.

indeed, provided them
ls. Islam is a religion of
human life. Since chaos
ntithesis of peace and

security, Islam not only detests it but also opposes it vehemently. On it the Quran says: "oppression is even worse than killing (2:190)."[36]

Taking things to their roots, it is discord and mischief which result in wars and riots claiming countless lives, and those who escape such a calamity, often suffer emotional traumas for odious reason, such as loss of honour and dignity. Speaking ill of the holy Prophet must incur a sever penalty because this mischief has always generated serious unrest and turmoil in society. As honour and dignity of man have been acknowledged in the Universal Declaration of Human Rights, therefore everyone is under obligation not to insult and belittle others because this would logically mean a sinister violation of man's fundamental right. Above all, the matters would get acutely delicate and sensitive when a personality no less than the Prophet of Islam is made an object of slander. To be sure, this hurts the susceptibilities of Muslims in whose eyes none is dearer, respectable and sacred than the Prophet. They can put everything, including their own lives, at stake for his sake. Historically arguing, how much the holy Prophet valued human dignity and human rights is evidenced by his Farewell address. By all consideration this raises the image and respectability of such a unique upholder of human rights in the eyes of an impartial student of history. Never in history Muslims have let a slanderer of the Prophet of God go scot-free. Law and reason demand that if the spectre of an evil raises its head in society, it must immediately be addressed to so as to stop the cancer of corruptibility.

The law of blasphemy too is designed to counteract the cancerous effects of a grim mischief which may cause chaos in the society splitting the unity of mankind against the Divine scheme of things. How does it involve the violation of human rights? Yet, the vested interests have

raised a terrible hullabaloo to confuse and poison the minds of the non-Muslim minorities. If one rises above prejudices and looks into things realistically, one would realize that the Law of Blasphemy instead safeguards the honour and dignity of man and people learn to respect the sentiments of one another. Moreover, it imparts to nations the lesson of peaceful co-existence. So instead of attributing narrow and parochial motives to this law, it should be viewed in a wider perspective to ensure the peace and security of mankind at large.

CHAPT

Blasphemy Law in Europe

Blasphemy law exists
the world in various forms
and faith of the majority of
modern historions blasphem
has been an offence punishab
Torah decreed death by st
blasphemer. Under Empero
AD) the death penalty was d
many states have legislatio
offence. In Scotland until
punishable by death. In Engl
The underlying idea appare
religion is necessarily an a
probably has been the reason
down even in some secular le

Punishment of death in the

Historically speaking
power, the Roman Law wa
there was no Administrati
Testament) to rule the count
the sway of the Catholic Ch
by Pope attained the force
Qur'an the Gospels were o
precepts. However, we fin
Testament that blasphemy
unpardonable sin in this w
hereafter. In Chapter 12 Ver
book: "Wherefore I say unt
blasphemy shall be forgiven
against the holy Ghost (Jesu
men." In Verse 32 of the
whosoever speaketh a word

se and poison the minds
e rises above prejudices
one would realize that
eguards the honour and
espect the sentiments of
to nations the lesson of
f attributing narrow and
should be viewed in a
peace and security of

CHAPTER VII

Blasphemy Law in Europe

Blasphemy law exists in almost all the countries of the world in various forms depending on religious belief and faith of the majority of the people. According to the modern historions blasphemy, in some form or the other has been an offence punishable by law. The Mosaic law of Torah decreed death by stoning as the penalty for the blasphemer. Under Emperor Justinian (reigned 527-565 AD) the death penalty was decreed for blasphemy. In US, many states have legislation of death penalty for this offence. In Scotland until the 18th century, it was punishable by death. In England it is common law offence. The underlying idea apparently is that an attack on the religion is necessarily an attack on the state. This idea probably has been the reason why penalties have been laid down even in some secular legal codes.[37]

Punishment of death in the Bible

Historically speaking, before the Church came into power, the Roman Law was in force in Europe, because there was no Administrative law in the Bible (New Testament) to rule the country. When the state came under the sway of the Catholic Church, every word pronounced by Pope attained the force of law. Unlike the Torah and Qur'an the Gospels were only collection of sermons and precepts. However, we find in the books of the New Testament that blasphemy against Jesus Christ is an unpardonable sin in this world and also in the world hereafter. In Chapter 12 Verse 31, St. Matthew says in his book: "Wherefore I say unto you, all manners of sin and blasphemy shall be forgiven unto men: but the blasphemy against the holy Ghost (Jesus) shall not be forgiven unto men." In Verse 32 of the same chapter he says: "And whosoever speaketh a word against the Holy Ghost(Jesus)

it shall not be forgiven him, neither in this world, neither in the world to come."

St. Mark in Chapter 3 verses 29:30 of his book says: "But he that shall blaspheme against the Holy Ghost(Jesus) hath never forgiveness."

In Chapter 12 verse 10 of St. Luke it is said: "Blasphemy shall not be forgiven."

When the countries in Asia and Europe, where Christian Kingdom were established, clergy adopted the Roman Law and the Talmudic Law to conduct the State affairs. The law of blasphemy was legislated on the basis of the biblical verses quoted above throughout the European countries and enforced with capital punishment of death.

Under the Mosaic Law the punishment of death was fixed for one who committed the desecration of the Torah or insulted the Minister (Prophet) who had come before Jesus Christ (Reference Deuteronomy 17:12). In Leviticus Chapter 24 Verse 16 of the old Testament, it is clearly stated: "And he that blasphemeth the name of thy Lord, he shall be surely put to death, and all congregation shall certainly stone him."

The Roman Emperor Justinian has the credit for codification of the Roman law and whose name is considered a symbol of justice, but in fact, his period was a reign of tyranny and oppression.[38] Before adoption of Christianity, Christians were burnt alive by his imperial decree. Following his conversion to Christianity, he laid down the penalty of death for rejecting the message of the Bible (New Testament) and for insulting Jesus Christ alone instead of the Israeli Prophets and mercilessly killed the Jews and uprooted their faith. Since his reign the blasphemy law regarding Jesus Christ became the law of European kingdoms. In France, blasphemy which included, speaking against the holy Vergin and the Saints, denying

ones faith, or speaking wit
punished with great severit
given in various forms li
torture or corporal punis
continuing the practice of a
this crime till the 18th centur

The first thing, the C
coming into power in the wa
in Russia was the separati
Thereafter death penalty re
was shifted from Jesus Chr
State. Atrocities and oppres
the Kremlin Head were
difference of opinion with
evidenced by the cold-blooc
Leon Trotsky in Mexico w
prisoners of conscience
languish away and die in the

Law of Blasphemy Define

Without trying to
blasphemy we may say in
Christian theology, it is to
the truth of Christianity or
Christ) or to desecrate and
Islam blasphemy is sacrileg
apostles.

Law of Blasphemy in The

As the capital pu
abolished in England there
life is the law of land for
blasphemy is defined as "th
in writing) of matter which
which denies the truth of th
or the Book of Common P

neither in this world, neither in

verses 29:30 of his book says:
against the Holy Ghost(Jesus)

10 of St. Luke it is said:
iven."

in Asia and Europe, where
tablished, clergy adopted the
dic Law to conduct the State
was legislated on the basis of
ove throughout the European
apital punishment of death.

v the punishment of death was
l the desecration of the Torah
ophet) who had come before
eronomy 17:12). In Leviticus
old Testament, it is clearly
neth the name of thy Lord, he
, and all congregation shall

Justinian has the credit for
law and whose name is
e, but in fact, his period was a
ssion.[38] Before adoption of
burnt alive by his imperial
rsion to Christianity, he laid
rejecting the message of the
r insulting Jesus Christ alone
ts and mercilessly killed the
faith. Since his reign the
us Christ became the law of
e, blasphemy which included,
rgin and the Saints, denying

ones faith, or speaking with impiety of holy things was punished with great severity. The death punishment was given in various forms like burning alive, mutilation, torture or corporal punishment. Russia and Scotland continuing the practice of awarding death punishment for this crime till the 18th century.

The first thing, the Communist government did after coming into power in the wake of the Bolshevik Revolution in Russia was the separation of the state from religion. Thereafter death penalty remained in Russia but its focus was shifted from Jesus Christ to the Communist Head of State. Atrocities and oppression of Stalin who had become the Kremlin Head were just unthinkable. Even the difference of opinion with him was a grave offence as evidenced by the cold-blooded murder of Lenin's comrade Leon Trotsky in Mexico where he lived in self-exile. The prisoners of conscience were deported to Siberia to languish away and die in the forced labour camps.

Law of Blasphemy Defined

Without trying to trace the roots of the word blasphemy we may say in generic sense that according to Christian theology, it is to deny the existence of God and the truth of Christianity or to slander the Redeemer (Jesus Christ) or to desecrate and ridicule the Bible, whereas in Islam blasphemy is sacrilege and contempt of God and His apostles.

Law of Blasphemy in The U.K

As the capital punishment of death has been abolished in England therefore now the imprisonment for life is the law of land for blasphemy. At common law, blasphemy is defined as "the publication (orally or for libel, in writing) of matter which vilifies or is contemptuous of or which denies the truth of the Christian religion or the Bible or the Book of Common Prayer and which is couched in

indecent scurrilous or offensive terms likely to shock and outrage the feelings of the general body of Christian believers."

Procedure

Blasphemy and blasphemous libel are triable only on indictment.

Proof

There is no requirement that the accused should have recognized or intended that his words would be blasphemous or to be taken by others to be blasphemous. The mense rea of blasphemy requires only the words of accused were found to be blasphemous.

Evidence

In case of public utterance, two reliable witnesses are required to prove the guilt of blasphemy and if it is in black and white i.e. blasphemous libel, it is obligatory to produce the written words.

The evidence of publication of blasphemous libel is the same as in the case of seditious libel. Sedition is defined as any act done or words spoken for (or, for seditious libel written and published), with a seditious intension and having a seditious tendency.

The Sentence

The maximum punishment for blasphemy is life imprisonment. The sentence for sedition and seditious libel is also the same as that for blasphemy i.e. life imprisonment.[38]

Case Law of British Courts

Two most important cases of British Court relating to Blasphemy are (i) White House versus Lemon and (ii) Chief Metropolitan Stipendiary Magistrate, ex parte

Choudhury, reported as (197
986 respectively.

Relevant portion of
case reported in "The Time
1988 by David Hollow Y. is

"Sincerity" and an
not a sufficient defence
conviction of Denis Lemo
publishing a poem suggesti
homosexual established tha
artist is irrelevant. It is a
religious feeling "outraged
the view that: "Every publi
which contains any conte
ludicrous matter relating to

House of Lord's Judgmer

Lemon went up i
Lords. It was one of hist
Superior Judiciary of the
century. The question
lordships was whether si
intent of the accused to b
is no requirement that the
or intended that his wor
taken by others to be blas

Lord Scarman is k
Commonwealth and in S
is considered to belong
activism in judicial matte
blasphemy in Lemon's a
(blasphemy) belongs t
designed to safeguard
kingdom. In an increasin
modern Britain, I think i

Choudhury, reported as (1979 A.C 617 and [1990] 3 WLR 986 respectively.

Relevant portion of the judgment in "Gay News" case reported in "The Times, London" dated: 27th August 1988 by David Hollow Y. is being reproduced as under:

"Sincerity" and an "atmosphere of reverence" are not a sufficient defence against blasphemy. In 1978, conviction of Denis Lemon, editor of "Gay News", for publishing a poem suggesting that Jesus was a promiscuous homosexual established that the intention, or motive, of an artist is irrelevant. It is a question of fact: Is Christian religious feeling "outraged and insulted"? The court was of the view that: "Every publication is said to be blasphemous which contains any contemptuous reviling, scurrilous or ludicrous matter relating to God, Jesus Christ, or the Bible"

House of Lord's Judgment

Lemon went up in appeal before the House of Lords. It was one of historic judgments delivered by the Superior Judiciary of the U.K in the last decade of 20th century. The question for determination before their lordships was whether sine qua non of the offence is an intent of the accused to blaspheme? "It was held that there is no requirement that the accused should have recognized or intended that his words would be blasphemous or be taken by others to be blasphemous."[39]

Lord Scarman is known as a liberal British Judge in Commonwealth and in Scandinavian countries as well. He is considered to belong to left wing for his socialistic activism in judicial matters. He has fairly dealt with law of blasphemy in Lemon's appeal case and held: "The offense (blasphemy) belongs to a group of criminal offenses designed. to safeguard the internal tranquility of the kingdom. In an increasingly pluralist society such as that of modern Britain, I think it is a case for legislation extending

blasphemy law. It is necessary not only to respect the differing religious beliefs and feelings of all but also to protect them from vilification, ridicule and contempt."[39-A]

The basic idea of the judgment of Lord Scarman is in consonance with Islamic Law of Blasphemy which strictly prohibits Muslims to show disrespect to Jesus Christ and other prophets of scripture and refrain themselves from ridiculing or insulting the leaders of different religions. They are not allowed even to ridicule any living or dead person. The companion Judges of Lord Scarman did not subscribe to his point of view. According to them including Lord Diplock, blasphemy does not extend to attacks on other religions such as Islam (which is second religion of Britain). Lord Diplock is well-known to Pakistan as he was a counsel for Ghulam Muhammad, Governor General of Pakistan in Maulvi Tamizuddin Khan Case. We have produced the relevant passage from The House of Lord's judgement in re Lemon Vs White House 19 AC 617 as ***Appendix B***.

Rushdie affair and British Superior Court

Muslims of Britain, in view of Lord Scarman's above judgment, moved Chief Metropolitan Stipendiary Magistrate to take notice of Salman Rushdie's blasphemous book "Satanic Verses" which had outraged the Muslim nationals of Britain, but the complaint was dismissed on the ground that blasphemy is concerned with Christian religion only. It does not extend to attack on other religion such as Islam.[39-B] This decision was confirmed in judicial review by the Queen's Bench Division of the High Court whereby it was held that the law of blasphemy only protect the Christian religion and more specifically, the established Church of England. Lord Watkins went to this extent that even if law of blasphemy is extended to religions other than Christianity as such Islam he will not press it into service. So he says: "We think it right to say that, were it open to us

not only to respect the
eelings of all but also to
icule and contempt."[39-A]

gment of Lord Scarman is
w of Blasphemy which
how disrespect to Jesus
scripture and refrain
insulting the leaders of
allowed even to ridicule
mpanion Judges of Lord
point of view. According
k, blasphemy does not
s such as Islam (which is
Diplock is well-known to
r Ghulam Muhammad,
Maulvi Tamizuddin Khan
vant passage from The
Lemon Vs White House

or Court

w of Lord Scarman's
etropolitan Stipendiary
Rushdie's blasphemous
outraged the Muslim
t was dismissed on the
with Christian religion
other religion such as
ned in judicial review
e High Court whereby
emy only protect the
cally, the established
ent to this extent that
o religions other than
press it into service.
at, were it open to us

to extend the law to cover religions other than Christianity, we should refrain from doing so."

No Amendment of Law of Blasphemy—British Govt's Stand

In the year 1989, during the proceedings of blasphemy case a number of influential British Muslims had also approached the Minister of State for the Home Department, Mr. John Patten to make amendment in blasphemy law to protect the honour of their holy Prophet and proscribe blasphemous book "The Satanic Verses" of Rushdie. The Minister representing the British government turned down this proposal. The relevant portion of his reply, inter alia, is as follow: -

"Many Muslims have argued that the law of blasphemy should be amended to take books such as "*The Satanic Verses*" outside the boundary of what is legally acceptable. We have considered their arguments carefully and reached the conclusion that it would be unwise for a variety of reasons to amend the law of blasphemy, not the least the clear lack of agreement over whether the law should be reformed or repealed."

Judgment of European Courts of Human Rights:-

After being dissatisfied with the decision of the House of Lord, Muslim community of England filed a petition in the European Court of Human Rights with expectation of getting some sort of relief in the matter of their blasphemy case. They requested the learned court only to afford an opportunity of hearing to them along with the most famous blasphemy case of Wingrove versus the United Kingdom pending for adjudication. Mr. Wingrove had challenged the British Law of Blasphemy, inter alia, on the ground that it is discriminatory law because it does not treat on an equal footing the different religions practised in the United Kingdom.

The Muslim citizens urged the same plea of Wingrove in their petition which the apex court of Human Rights of Europe refused to entertain on the following grounds:

"It is true that the English Law of Blasphemy only extend to the Christian faith. Indeed the anomaly of this state of affairs in multi-denominational society was recognized by the Divisional Bench in R.V. Chief Magistrate Exparte Choudhry. However, it is not for the European Court to rule in abstracto as to the compatibility of domestic law with convention (Constitution of European Court of Human Right)."

The petition of Mr. Wingrove was also dismissed after full-dress debate on the most important points relating to modern global society like freedom of expression and democratic society, soft-core pornography, religious ecstasy, sexual passion, masochism, lesbianism and auto-erotism and their far reaching effects on social life. Finally the court held that the United Kingdom was justified to impose ban on exhibition of blasphemous video film apprehending that it was likely to arouse a sense of outrage among those who believe and respect the Christian faith. Therefore, the action of the United Kingdom does not ultra vires Article 10 of the Convention (Constitution of the European Court of Human Rights).

Author's Note

This judgment is one of the most important and exhaustive judgments of the European Court of Human Rights relating to the law of Blasphemy which was declared to be social necessity of a democratic country. This shows how Europe is conservative in maintaining its own orthodox laws, but on the other hand Pakistan Government proposed to make amendments in the just and

equitable law of blasphe
country as a secular, mode

Abstract of juegem
Rights in re Vingrove Vs
1996 is Appendix-C.

Freedom of Press

The privilege acco
court's proceeding by th
Section 3 of the Act does
any blasphemous matter.

A.V. Diecy, const
freedom of the press with
England: "Until very rece
recognized any privilege
which is defamatory or b
upon card, has exactly th
or newspaper. It is hardl
point of view, that libe
England.[39-C]

LAW OF BLASPHEM

One finds no diff
of Britain and the secula
of blasphemy law preva
under:

Blasphemy

Blasphemy is r
the Christian religion,
Christ or exposing the
Blasphemy is an offenc
or written words. Whe
of committing an offe
constitutes the crime.[40]

urged the same plea of
ich the apex court of Human
entertain on the following

ish Law of Blasphemy only
Indeed the anomaly of this
nominational society was
al Bench in R.V. Chief
However, it is not for the
acto as to the compatibility
n (Constitution of European

ngrove was also dismissed
st important points relating
reedom of expression and
pornography, religious
ism, lesbianism and auto-
fects on social life. Finally
Kingdom was justified to
blasphemous video film
arouse a sense of outrage
espect the Christian faith.
d Kingdom does not ultra
tion (Constitution of the
).

the most important and
ropean Court of Human
Blasphemy which was
f a democratic country.
vative in maintaining its
e other hand Pakistan
endments in the just and

equitable law of blasphemy in an attempt to show the country as a secular, modern state.

Abstract of juegement of European Court of Human Rights in re Vingrove Vs United Kingdom dated 25-11-1996 is Appendix-C.

Freedom of Press

The privilege accorded to newspapers report of the court's proceeding by the law of libel Amendment Act. Section 3 of the Act does not authorize the publication of any blasphemous matter.

A.V. Diecy, constitutional law expert writes about freedom of the press with reference to law of blasphemy in England: "Until very recent time the law, moreover, has not recognized any privilege on the part of press. A statement which is defamatory or blasphemous, if made in a letter or upon card, has exactly the same character if made in a book or newspaper. It is hardly an exaggeration to say from this point of view, that liberty of press is not recognized in England.[39-C]

LAW OF BLASPHEMY IN THE UNITED STATES

One finds no difference between the blasphemy law of Britain and the secular state of America. Legal definition of blasphemy law prevailing in the United States reads as under:

Blasphemy

Blasphemy is reviling of God, wantonly attacking the Christian religion, or contumelious reproaches of Jesus Christ or exposing the scriptures to contempt and ridicule. Blasphemy is an offence and may be committed by spoken or written words. Where a statute designates several ways of committing an offence, the doing of anyone of them constitutes the crime.[40]

Case Law

In the absence of a statute, the offence may be committed either by spoken or written words. Christianity is the prevailing religion of the United States, so it is part and parcel of the law of land. It has been observed in US-Vidal Vs Girad 11.L.Ed 205, 8CJ P1120 N21 that Christianity, although a part of common law of the state, it is only so in the qualified sense that its divine origin and truth are admitted.

Distinction

But so far other religions are concerned, they may be attacked without incurring any liability of the prosecution.[40-A]

Constitutional freedom of press and religious toleration: The US Constitution safeguards the rights about the freedom of the press and the liberty of conscience, so far religious opinions and worship are recognized as a protection to the extent of guaranteeing the rights above announced, but such constitutional provisions do not legalize profane scoffing, or stand in the way of legislature enactments for the punishment of such acts. (8CJP1121N 35).

U.S Supreme Court Judgment

In the historical judgment of the US Supreme Court entitled as State Vs. Mocus, the learned judges had clearly interpreted the law of Blasphemy with reference to the liberty, freedom of speech and freedom of press as guaranteed by the constitution.[41]

They concluded: "It is farthest from our thought to claim superiority for any religious sect, society, or denomination, or even to admit that there exists any distinct, avowed connection between church and state in the United States or in any individual state, but, as

distinguished from the religi
Muhammad, or even Abraha
reason of the number, influen
within our territorial bounda
the prevailing religion of this
equal truth may it be sa
civilization, the religion of a
factor in determining its fo
stability of government, in no
the reverence and respect
towards its prevalent religion

The relevant portio
Appendix-D.

Author's comments

It is significant to no
church from the state, the se
keep the flame of Chri
apologetic. This open secret
pronouncements of the apex
the United State. In *stri*
blasphemy is nearer to the
Church.

All the judgments o
by apex courts of Huma
Kingdom and Supreme Cou
how strongly the superior j
the western countries adh
Despite advancement of
introduced for the first tim
Shafa'i, one of the famous
(Fiqah), the laws of westen
essentially medieval.

In Lemon's case,
dismissed the appeal of C

itute, the offence may be
written words. Christianity
United States, so it is part
has been observed in US-
5, 8CJ P1120 N21 that
ommon law of the state, it
that its divine origin and

are concerned, they may
g any liability of the

of press and religious
afeguards the rights about
liberty of conscience, so
hip are recognized as a
anteeing the rights above
onal provisions do not
l in the way of legislature
f such acts. (8CJP1121N

of the US Supreme Court
earned judges had clearly
y with reference to the
l freedom of press as

hest from our thought to
gious sect, society, or
t that there exists any
een church and state in
ndividual state, but, as

distinguished from the religions of Confucius, Gautama, Muhammad, or even Abraham, it may be truly said that, by reason of the number, influence, and station of its devotees within our territorial boundaries, the religion of Christ is the prevailing religion of this country and of this state. *With equal truth may it be said that from the dawn of civilization, the religion of a country is the most important factor in determining its form of government, and that stability of government, in no small measure, depends upon the reverence and respect which a nation maintains towards its prevalent religion.*"[42]

The relevant portion of this judgment is as ***Appendix-D***.

Author's comments

It is significant to note that inspite of separation of church from the state, the secularized countries of the West keep the flame of Christianity alive without being apologetic. This open secret is apparent on very face of the pronouncements of the apex courts of the Great Britain and the United State. In *strict senso*, the U.S.A law of blasphemy is nearer to the orthodox religion of Catholic Church.

All the judgments of blasphemy cases pronounced by apex courts of Human Rights of Europe, United Kingdom and Supreme Court of United States clearly show how strongly the superior judiciary and the governments of the western countries adhere to their Christian religion. Despite advancement of legal jurisprudence, that was introduced for the first time in the legal history by Imam-Shafa'i, one of the famous doctors of Islamic Jurisprudence (Fiqah), the laws of western countries still remain static and essentially medieval.

In Lemon's case, the Queen's Bench Division dismissed the appeal of Gay News editor confirming the

trial court's judgment that in order to convict a blasphemer, his intention or motive is irrelevant, when facts of case stand proved. But in Islamic law, the basic ingredient of blasphemy or any other offence is the intention or motive, without which no punishment could be awarded to the accused. In Exparte Choudhary's case, the European Court of Human Rights refused to entertain the petition of Muslims community of the United Kingdom against Salman Rushdie in the matter of blasphemy and upheld the order of House of Lords observing that the U.K law of blasphemy only extends to the Christian faith. Therefore it shall not interfere with the domestic law of United Kingdom.

The Supreme Court of the United States in Mockus case, while dealing with reference matter of blasphemy in the context of constitutional and human rights principles declared that as the country is based on sure foundation of Christianity, no one is allowed to go beyond the limits of constitutional freedom and liberty to undermine the foundation of the state by ridiculing the God of Christian religion or the holy Scriptures. It is amusing to observe that Judaism considers only those persons to be blasphemers, who insult the prophets preceding Christ, while according to Christianity only the contempt of Christian God, Jesus Christ and Gospels constitutes blasphemy.

Be that as it may, both Judaism and Christianity are of the view that slanderous attack on other religions or the Prophet of Islam is not an offence punishable under law. This is in contrast to the wider vision of Islam which requires its followers to be respectful not only to their own prophet but to all the prophets without any distinction and whoever disobeys this Divine Commandment, will be liable to the same punishment as fixed by the law of blasphemy in Islam. The dictum in this respect is laid down in the judgment of Federal Shariat Court of Pakistan on the

petition of the author in
"Muhammad Ismail Qureshy
Pakistan (PLD 1991 FSC 1
blasphemy was passed by th
one is unable to understan
countries and especially A
Pakistan Government to abr
regard to Islamic law of bl
laws, while they claim the
democracy and believe in
Blaspehmy Law is part of t
western Governments has
double standards towards the

Religious Freedom Reports

In the International
2003 prepared by US Depar
with Bureau of Democracy
law of blasphemy has
continuation of their pre
blasphemy law was enacted
property of minority citiz
abuse.

It is a fact that no
superior courts in Pakist
promulgation in the year 19
of his faith or religion, has
profess, practise and mana
frivolous charge has been le
of blasphemy is a threat
communities in Pakistan
failed to protect the religi
minorities.

er to convict a blasphemer,
evant, when facts of case
w, the basic ingredient of
is the intention or motive,
could be awarded to the
s case, the European Court
entertain the petition of
United Kingdom against
blasphemy and upheld the
ving that the U.K law of
Christian faith. Therefore it
domestic law of United

e United States in Mockus
ce matter of blasphemy in
d human rights principles
ased on sure foundation of
o go beyond the limits of
perty to undermine the
ling the God of Christian
is amusing to observe that
ersons to be blasphemers,
g Christ, while according
t of Christian God, Jesus
sphemy.

daism and Christianity are
on other religions or the
ce punishable under law.
r vision of Islam which
tful not only to their own
ithout any distinction and
nmandment, will be liable
y the law of blasphemy in
ect is laid down in the
ourt of Pakistan on the

petition of the author in the year 1991 reported as "Muhammad Ismail Qureshy Vs. Federal Government of Pakistan (PLD 1991 FSC 10)". Furthermore, the law of blasphemy was passed by the Parliament of Pakistan. But one is unable to understand the attitude of European countries and especially America who are pressurizing Pakistan Government to abrogate the Act of Parliament in regard to Islamic law of blasphemy along with Hudood laws, while they claim themselves to be champions of democracy and believe in majority rule. Moreover the Blaspehmy Law is part of the law of land. This policy of western Governments has exposed their hypocrisy and double standards towards the Muslim World.

Religious Freedom Reports of USA

In the International Religious Freedom Report for 2003 prepared by US Department of States in consultation with Bureau of Democracy and Human Rights, the Islamic law of blasphemy has been criticized harshly in continuation of their previous reports. In fact the blasphemy law was enacted to protect the life, liberty and property of minority citizens from discrimination and abuse.

It is a fact that no one has been convicted by the superior courts in Pakistan under this law since its promulgation in the year 1991, nor any citizen irrespective of his faith or religion, has ever been denied the right to profess, practise and manage religious institutions, yet a frivolous charge has been leveled in the report that the law of blasphemy is a threat to the security of non-Muslim communities in Pakistan and that the Government has failed to protect the religious and human rights of the minorities.

New-Conservatism

The Religious Freedom Report of 2003 is self-contradictory but perfectly in accordance with the state policy makers of American Government. On the one hand they want to make Pakistan a modern, enlightened and progressive state which should conform to the secular and social order of the day, on the other hand, the US President takes an oath of allegiance to the God of Christians and salutes the more than two thousand years old scriptures with great reverence. The US Congress and State legislature open their sessions with prayers to the deity of their Christian religion as observed in the judgment of their Supreme Court. The Government claims itself to be NEOCON's (New Conservative Christian) Government. In fact, the United States remains the most religious country of the western world. Yet Islam is not acceptable religion to NEOCON Government and its associates. They do not like the Muslims to live according to the Divine law; which is neither against the teachings of Jesus Christ nor against the commandments of Jewish religion. Islam does not advocate aggression, fanaticism, injustice or killing the innocent people.

The Neo conservatism is the product of a master mind of a Jewish political philosopher of the new millennium — Leo Strauss. He surpassed his predecessor Machiavelli, who had taught the rulers to exploit people by fraud and deception to establish their authority. In addition, Strauss amalgamated Machiavellian formula with strong powerful ideology of Plato (427-347BC) and Nietzsche (1844-1900) that only the strongest is fit to rule this world and the weak are born to be ruled or they should be crushed by force if they attempt to rise. The Straussian thought has been translated into action and deeds which is known as Bush pre-emptive doctrine. Invading a small country like Afghanistan with cruise missile and daisy cutter bombs and merciless bombing on Iraq i
doctrine. The pretext is to re
America with mass destruction
found anywhere in Iraq by the
Team. It is a clear manifes
Conservatism will.

CRUSADE AND SULTAN SA

The attack on Afghanis
to the Crusades, military exped
Christians between 1095 and 12
"when the Christian entered Jer
and Jewish inhabitants of the c
massacred them with a brutali
own contemporaries.[42-A]

In the third crusade (J
(Salahud din), the famous Mus
the most disastrous and fatal bl
movement. Jerusalem, holy t
Christians alike, surrendered t
army. In stark contrast to the c
rulers, when blood flowed like
of its inhabitants, the Muslim c
civilized good faith and courteo
and his troops. Both in the I
become a symbol of a wise rule
commander, and in the West h
stature as a paragon of the chiva

Salahuddin and Reginald—Th

Salahuddin's generous c
by his enemies—the crusaders.
non-Muslim historians. Stanley
account of Sultan's achieven
famous book "Saladin and fall o

Report of 2003 is self-
ccordance with the state
ernment. On the one hand
modern, enlightened and
onform to the secular and
ner hand, the US President
ne God of Christians and
sand years old scriptures
JS Congress and State
ith prayers to the deity of
ed in the judgment of their
ent claims itself to be
Christian) Government. In
ne most religious country
not acceptable religion to
sociates. They do not like
the Divine law; which is
sus Christ nor against the
. Islam does not advocate
or killing the innocent

the product of a master
hilosopher of the new
urpassed his predecessor
ılers to exploit people by
eir authority. In addition,
an formula with strong
-347BC) and Nietzsche
t is fit to rule this world
or they should be crushed
e Straussian thought has
eeds which is known as
ng a small country like
l daisy cutter bombs and

merciless bombing on Iraq is implementation of this doctrine. The pretext is to restrain Iraq from attacking America with mass destruction weapons, which were not found anywhere in Iraq by the United Nations Inspectors Team. It is a clear manifestation of pro-zionist Neo Conservatism will.

CRUSADE AND SULTAN SALAHUDDIN

The attack on Afghanistan was not much different to the Crusades, military expedition organized by western Christians between 1095 and 1291. During the 11th century, "when the Christian entered Jerusalem, they fell on Muslim and Jewish inhabitants of the city with zeal of Joshua and massacred them with a brutality that shocked even their own contemporaries.[42-A]

In the third crusade (J 1187 AD), Sultan Saladin (Salahud din), the famous Muslim hero of all times, gave the most disastrous and fatal blow to the whole crusading movement. Jerusalem, holy to both the Muslims and Christians alike, surrendered to the Sultan Salahuddin's army. In stark contrast to the city's conquest by Christian rulers, when blood flowed like water during their massacre of its inhabitants, the Muslim conquest was marked by the civilized good faith and courteous behaviour of Salahuddin and his troops. Both in the East and the West, Sultan become a symbol of a wise ruler and consummate military commander, and in the West he has attained a legendary stature as a paragon of the chivalrous enemy.

Salahuddin and Reginald—The Blasphemer

Salahuddin's generous chivalry was admitted even by his enemies—the crusaders. It is acknowledged by the non-Muslim historians. Stanley Lane Poole gave a detailed account of Sultan's achievements and nobility in his famous book "Saladin and fall of Kingdom of Jerusalem".

In 1187 A.D Reginald, King of Kerak despite a truce between him and Salahuddin attacked and looted a carvan of Muslims merchants and arrested all of them, who were subjected to humiliating treatment. When the captured people appealed to him to set them free, he said tauntingly; "you believe in Muhammad why don't you ask him to get you free". When this news reached Salahuddin he swore to kill him with his own hands. Salahuddin, who had been regenerating his forces by an intense and unwavering devotion to Jehad, declared a decisive war against Latin Kingdom. After victory of Hattin in 1187, Reginald of Chatillon, the inhabitants of Jerusalem and the King Guy of Lusignan were brought befoe the Sultan as prisoners of war. Salahuddin gave full protocol to the captive king and his knights were also treated honourably. Salahuddin ordered the prisoners to be released. Syrian or Greek Christians and the Jews who decided to remain there, were permitted to settle in Jerusalem and other cities within the dominion of Sultan. Qazi Bahauddin Ibn Shadad, a close courtier of Sultan, writes that Reginald was trembling with fear as atrocities committed by him flashed back his mind and made his blood freeze. The Sultan reminded him of the contemptuous words uttered by him against the holy Prophet and said: "Now I seek the help of my Prophet" and the next moment he beheaded Reginald. The King Guy was very much frightened at this occasion, but Sultan told him that Muslims do not kill the people without any reason. Reginald had exceeded his limits and had abused the Prophet of God which could not be tolerated. No doubt, you fought against us in the battle, but now you are a royal guest as a King. The Sultan followed in the footstep of the holy Prophet and the rightly guided Caliphs in the art of war and peace.

Rules regulating Art of Wa

The Prophet had en
Abdur Rehman Ibn Auf. "T
nor treachery, nor mutilate a
women during the fight in
pact of God and conduct
guidance".[42-B]

Salahuddin's fame
though not undramatic, facts
Syria, Northern Mesopotam
and acknowledged as the su
of Muslims who had conque
But when this powerful and
Muslim empire died in the y
years, he had not left enou
funeral[43] just like the grea
buried according to his wi
burdening the exchequer fo
living man deserves to have
therefore is not for self aggra

Caliph Abu Bakr en
was proceeding to Palestine:
God. Do not disobey, do not
do not destroy churches, do
destroy cultivation, do not c
old men, boys, children or w

In the battlefield, Sul
noble rules prescribed by th
Syedna Abu Bakr. After the
of Egypt, Syria, Mesopo
maintained peace and harm
Jehad in Islam is not for wo
according to Quran and Sun
noble Quran says: "Make

d, King of Kerak despite a
uddin attacked and looted a
and arrested all of them, who
treatment. When the captured
them free, he said tauntingly;
vhy don't you ask him to get
ached Salahuddin he swore to
. Salahuddin, who had been
an intense and unwavering
a decisive war against Latin
Hattin in 1187, Reginald of
erusalem and the King Guy of
e the Sultan as prisoners of
tocol to the captive king and
ted honourably. Salahuddin
released. Syrian or Greek
decided to remain there, were
m and other cities within the
hauddin Ibn Shadad, a close
Reginald was trembling with
y him flashed back his mind
e Sultan reminded him of the
by him against the holy
the help of my Prophet" and
Reginald. The King Guy was
occasion, but Sultan told him
people without any reason.
limits and had abused the
not be tolerated. No doubt,
ittle, but now you are a royal
llowed in the footstep of the
guided Caliphs in the art of

Rules regulating Art of War and Peace

The Prophet had enjoined upon his commander, Abdur Rehman Ibn Auf. "Never commit breach of trust, nor treachery, nor mutilate any body nor kill any minor or women during the fight in the path of Allah. This is the pact of God and conduct of His Messenger for your guidance".[42-B]

Salahuddin's fame has outstripped the authentic, though not undramatic, facts of his life. He was the ruler of Syria, Northern Mesopotamia (Iraq), Palestine and Egypt and acknowledged as the successor of the first generation of Muslims who had conquered half of then known world. But when this powerful and the generous ruler of the vast Muslim empire died in the year 1193 A.D at the age of 55 years, he had not left enough money to be paid for his funeral[43] just like the great Caliph Abu Bakr who was buried according to his will in his old clothes without burdening the exchequer for his own self. He said: "A living man deserves to have new clothes. The war in Islam, therefore is not for self aggrandizement.

Caliph Abu Bakr enjoined upon Usama while he was proceeding to Palestine: "I enjoin upon you the fear of God. Do not disobey, do not cheat, do not show cowardice, do not destroy churches, do not inundate palm trees, do not destroy cultivation, do not cut down fruit trees, do not kill old men, boys, children or women."[43-A]

In the battlefield, Sultan Salahuddin observed these noble rules prescribed by the Prophet of God and Caliph Syedna Abu Bakr. After the end of war this powerful ruler of Egypt, Syria, Mesopotamia (Iraq) and Palestine, maintained peace and harmony throughout his dominion. Jehad in Islam is not for worldly gains or to amass wealth according to Quran and Sunnah of the Holy Prophet. The noble Quran says: "Make ready against them (enemies)

whatever force and war mounts you are able to muster, so that you might deter thereby the enemies of God, who are your enemies as well. (8: 60)[43-B] "And if they incline to peace, incline thou to it as well, and place trust in God."[43-C]

The noble Prophet said: "Do not be eager to meet the enemy, perhaps you may be put to test by them, but rather say: O God! Suffice for us, and keep their might away from us."[43-D]

These were the rules and regulations of war observed by the rightly guided Caliphs and their followers like Sultan Salahuddin.

Expeditions of Neo Colonial Crusaders

NEOCONS/New Conservative crusaders have extended their full support to Zionists. They are ambitious to establish a frightening state in Palestine. US has given open licence to Israel to use weapons of mass destruction with genocidal vicious agenda against the unarmed Palestinians as if they have no right to live in their own homeland. Israel's target assassination of wheel chair bound paraplegic spiritual leader of Palestine, Sheikh Ahmad Yasin along with his son and companions was sheer an act of state terrorism, which was condemned by all the Governments of East and West except the United States, which has always sponsored and encouraged Israel in its inhuman activitism. US Government is guilty of committing war crimes genocide, illegal detention, denial of justice and violation of human rights. A report of Human Rights Watch on Afghanistan says that US administration's practice and refusal to follow the Geneva Convention or any other rule of law has led to heinous abuses in violation of fundamental American values.

Lord Johan Van Zyal Steyn, who sits as a Lord of Appeal on the Britain's highest court, made a scathing indictment of American justice. We are reproducing short

excerpt from Lord Steyn's
London on November 25, 2

"What takes place a
name of the US will assure
the bar of informed interna
at present, the US court w
Guantanamo Bay who pro
has been and is being tortu
prisoners, who assert that
The blanket Presidential
rights whatsoever. As a la
ideals of American democr
say that I regard this as a m

It reminds us of *In*
1478, when Christian re
Muslim rule. These tribun
against Muslims and the Je
use of torture till the 19
interrogators, prosecutors,
executioners of death sent
Christianity. The conversio
at the point of sword in Eu

The immoral and t
by US male and female s
the private parts and urin
prisoners at Abu Gharib J
severe beatings and rape
humanity. The detainees
religion to save their ski
human society. How they
human rights?

Islam abhors inhu
prisoners of war. They
compliance with the direc

ts you are able to muster, so
he enemies of God, who are
)[43-B] "And if they incline to
, and place trust in God."[43-C]

d: "Do not be eager to meet
be put to test by them, but
or us, and keep their might

s and regulations of war
l Caliphs and their followers

Crusaders

iservative crusaders have
Zionists. They are ambitious
in Palestine. US has given
veapons of mass destruction
nda against the unarmed
o right to live in their own
assination of wheel chair
ader of Palestine, Sheikh
son and companions was
which was condemned by all
d West except the United
sored and encouraged Israel
S Government is guilty of
de, illegal detention, denial
in rights. A report of Human
ays that US administration's
the Geneva Convention or
heinous abuses in violation
s.

Steyn, who sits as a Lord of
est court, made a scathing
. We are reproducing short

excerpt from Lord Steyn's speech which he delivered in London on November 25, 2003:

"What takes place at Guantanamo Bay today in the name of the US will assuredly in due course, be judged at the bar of informed international opinion. As matter stands at present, the US court would refuse to hear a prisoner at Guantanamo Bay who produces credible evidence that he has been and is being tortured. They would refuse to hear prisoners, who assert that they were not combatants at all. The blanket Presidential order deprives them all of any rights whatsoever. As a lawyer brought up to admire the ideals of American democracy and justice, I would have to say that I regard this as a monstrous failure of justice."[44]

It reminds us of *Inquisition* established in Spain in 1478, when Christian regained power 800 years after Muslim rule. These tribunals operated with great severity against Muslims and the Jews. They were notorious for the use of torture till the 19th century. They have acted as interrogators, prosecutors, defence counsel, judges and executioners of death sentence on refusing conversion to Christianity. The conversion to Christianity from Islam was at the point of sword in Europe.

The immoral and torturous criminal acts committed by US male and female soldiers giving electric shocks to the private parts and urinating over the faces of tied up prisoners at Abu Gharib Jail of Iraq and killing them after severe beatings and rape are unforgivable crimes against humanity. The detainees were forced to abandon their religion to save their skin. This is the darkest phase of human society. How they claim to be the champions of the human rights?

Islam abhors inhuman and ill treatment with the prisoners of war. They were treated with kindness in compliance with the directive of the holy Prophet. No one

was ever forced to embrace Islam. The world has witnessed this fact even during the 'orthodox' Taliban Government of Mulla Omar in Afghanistan before the US invasion in 2001. Yuonne Ridley, British born journalist who remained as a captive of Taliban is the living witness to this reality.

The noble Prophet of God after conquest of Makkah did not kill the war lords, but declared a general amnesty even for his arch enemies.

Huntington's Clash of Civilizations

The question is why only Islam and the Muslims are target of tyranny and repression. The answer has been given by Mr. Samuel. P. Huntington in his book "The clash of civilizations". He says: "A comparable mix of factors has increased the conflict between Islam and the West in the late twentieth century. First, Muslim population growth has generated a large number of unemployed and disaffected young people who become recruits to Islamist causes, exert pressure on neighbouring societies, and migrate to the West. Second, the Islamic resurgence has given Muslims renewed confidence in the distinctive character and worth of their civilization and values compared to those of the West. Third, the West's simultaneous efforts to universalize its values and institutions, to maintain its military and economic superiority, and to intervene in conflicts in the Muslim world generate intense resentment among Muslims. Fourth, the collapse of communism removed a common enemy of the West and Islam and left each the perceived major threat to the other. Fifth, the increasing contact between intermingling of Muslims and Westerners stimulate in each a new sense of their own identity and how it differs from that of the other. Interaction and intermingling also exacerbate differences over the rights of the members of one civilization in a country dominated by members of the other civilization. Within both Muslim and Christian

societies, tolerance for the oth
1980s and 1990s.

The causes of the renev
and the West thus lie in funda
and culture. *Ko? Kovo?* Who is
The central issue of politics d
1924) is the root of the contest
There is, however, the additi
would have considered meanin
versions of what is right an
consequences, who is right ar
Islam remains Islam (which i
the West (which is more
conflict between two great c
will continue to define their re
has defined them for the past

Mr. George W. Bus
American Armed forces in 2(
a Muslim state of Afgha
projecting his image as a crus
Huntington's theory of cl
Former US Secretary Mr. Po
a statement before 9/11 inqui
March 2004 that "US had
Taliban Government". The
Mujahideen by America, wh
the Communist Soviet U
rebuilding their country on
Russia a secular super po
Administration of NeoCons
its unipolar imperialist pow
hidden fear or phobia of
crusade idea still persists in
conviction that, in certain c
become more deeply enr

ı. The world has witnessed
x' Taliban Government of
fore the US invasion in
n journalist who remained
g witness to this reality.

after conquest of Makkah
:clared a general amnesty

ons

slam and the Muslims are
ı. The answer has been
on in his book "The clash
mparable mix of factors
n Islam and the West in
luslim population growth
r of unemployed and
come recruits to Islamist
hbouring societies, and
Islamic resurgence has
ence in the distinctive
civilization and values
est. Third, the West's
salize its values and
nilitary and economic
conflicts in the Muslim
among Muslims. Fourth,
ed a common enemy of
e perceived major threat
sing contact between
terners stimulate in each
and how it differs from
nd intermingling also
ghts of the members of
ated by members of the
Muslim and Christian

societies, tolerance for the other declined sharply in the 1980s and 1990s.

The causes of the renewed conflict between Islam and the West thus lie in fundamental questions of power and culture. *Ko? Kovo?* Who is to rule? Who is to be ruled? The central issue of politics defined by V.I Lenin (1870-1924) is the root of the contest between Islam and the West. There is, however, the additional conflict, which Lenin would have considered meaningless, between two different versions of what is right and what is wrong and, as a consequences, who is right and who is wrong. So long as Islam remains Islam (which it will) and the West remains the West (which is more dubious), this fundamental conflict between two great civilizations and ways of life will continue to define their relations in the future even as it has defined them for the past fourteen centuries."[44-A]

Mr. George W. Bush as Commander-in-Chief of American Armed forces in 2001 declared "crusade" against a Muslim state of Afghanistan. U.S Government is projecting his image as a crusader of 21st century accepting Huntington's theory of clash of civilization rhetoric. Former US Secretary Mr. Powel was blunt enough to make a statement before 9/11 inquiry commission in the month of March 2004 that "US had launched the crusade to topple Taliban Government". The Taliban were declared as Mujahideen by America, when they were fighting against the Communist Soviet Union, but when they started rebuilding their country on Islamic model after defeating Russia a secular super power of the world, American Administration of NeoCons apprehended it to be a threat to its unipolar imperialist power. Such is U.S Government's hidden fear or phobia of Muslim potential power that crusade idea still persists into the present 21st century. "The conviction that, in certain circumstances, war might be just become more deeply enrooted in the conscience of the

West.[45] Thus the war is going on in the name of crusade and so-called democracy. Nuclear destruction of Hiroshima and Nagasaki of Japan in August, 1945 was American democratic gift to 20th century world. Since last decade of past century till present time U.S Governments and its western allies are raining death and destruction upon the people of Iraq for imposing their brand of democracy. It would serve twofold purposes; Firstly, occupation of the oil producing country of Iraq in order to quench its imperialistic thirst and to boost the market economy and secondly, to crush the Muslim threat of insurgence.

The irony is that the Christians and the Jews have comfortably forgotten the generosity of Muslim rulers. We would like to shed light on dynamic rule of the Muslims in Spain in the next chapter to show their humane behaviour towards the non-Muslim citizens and their contribution to the West.

on in the name of crusade
ar destruction of Hiroshima
gust, 1945 was American
vorld. Since last decade of
U.S Governments and its
and destruction upon the
ir brand of democracy. It
rstly, occupation of the oil
1 order to quench its
the market economy and
eat of insurgence.

stians and the Jews have
ity of Muslim rulers. We
ic rule of the Muslims in
their humane behaviour
and their contribution to

CHAPTER VIII

Muslim Spain (Andalusia)

Emergence of civilization and slanderous attack on Prophet of Islam

Looking back in the history, wherever in Asia, Africa, East and the West and whenever, the Muslims have been in power, they shared living peacefully with the people of other faiths. We would not give the chronicle account of Muslim historians, lest they may be deemed to be supporters of their own cause, but present the events through our adversaries.

Historians of the West tell us that when Europe was deep in its dark ages of ignorance, Tariq crossed the Strait of Gibralter in Spain not on his own initiative, but was invited by Visigoths—Romanized Christians. Muslims on their arrival brought radical change and revolutionized the entire social order in the country. The new regine relaxed the heavy burden of taxes. The Jews were no longer persecuted but placed on an equal footings with Hispano—Romans & Goths, who remained within the Christian fold. Serfs, who accepted Islam were treated as free citizens of the state. Thus in the first half of the 8th century, a new and entirely different society was evolved in Muslim Spain. It is universally recognized that with establishment of Muslim rule in Spain, a dynamic civilization emerged from there and rapidly spread across the primitive societies of the Europe.[45]

Seat of Learning

Lane Poole with reference to his predecessor Dozy, a well known orientalist/historian presents us innumerable cities that sprang up in Andalusia (Muslim Spain) under the Muslim rule as shining examples of civilized and enlightened state. Arts, literature, science, mathematics,

astronomy, botany, chemistry, medicine, history, philosophy, law and jurisprudence were to be mastered in Spain. No other country in Europe ever succeeded in attaining the cultured dominion of Muslims. Students flocked from Asia, Africa, Arabia, and mostly from France, Germany, England and other parts of the West to drink from the fountains of the learning which flowed only in the cities of Muslim Spain. These students had free lodging and boarding and received education free of charge upto university level. Even centuries later eminent English scholars like Adelard Bath and Roger Bacon were advising European students to go to Muslim schools in preference to native ones.[46]

Ibn-e-Khaldun

From Spain arose Ibn Khaldun (1332-1406) who wrote his massive masterpiece, *"The Muqaddimah"* which introduced historical methodology, providing the criteria for sifting historical truth from error. Robert Flint, an eminent scholar, eulogized him" as a theorist on history he had no equal in any age or country. Plato, Aristotle, Augustine were not his peers. Twentieth century English historian Arnold Toynbee has described his amazing original work as "a philosophy of history which is undoubtedly the greatest work of its kind that has ever been created by any mind at any time or place". Above this, his study of nature of society and social change led him to evolve a new science, which he called "Ilm al Umran" the science of culture and human society.

His unique work is studded with brilliant observation on historiography, economic, sociology, politics, education and human psychology. It is acknowledged by all great scholars of social science that Ibn-e-Khaldun presented concept of "asabiyah" (social cohesion) to the world for the first time which has provided the new dimensions to the life of society.[47]

Besides being occupie
work, his was a restless soul. V
Al Azhar, associated as Minis
Chief Justice of Egypt and als
the King of Egypt fought a
became prisoner of war but th
Timur treated him with gre
knowledge and wisdom and d
unique historian.[48]

We have briefly spotl
of Ibn-e-Khaldun so that ou
rational approach of the great
14th century to integrate
"*asabiyah*" i.e. social cohe
mentality of Samuel Hunti
disintegrate the mankind
civilizations, which, in fact,

Abdur Rehman I (756-788

Muslim Spain mar
During the period of Abd
despite internal trouble
Rehman-I was the great or
ambitious Charlemagne, R

Abdur Rehman II
great political and cultural
maintained friendly relat
Frankish King Charles
managed to subdue the
Christian zealots incited
Alvaro. The misguided f
of Islam publicly to und
state. First, Abdur Rehm
to retract from their
disavowed by their ow

, medicine, history,
were to be mastered in
ope ever succeeded in
of Muslims. Students
and mostly from France,
s of the West to drink
vhich flowed only in the
nts had free lodging and
free of charge upto
later eminent English
er Bacon were advising
schools in preference to

dun (1332-1406) who
Muqaddimah" which
providing the criteria
ror. Robert Flint, an
theorist on history he
try. Plato, Aristotle,
tieth century English
scribed his amazing
of history which is
ind that has ever been
ace". Above this, his
l change led him to
l "Ilm al Umran" the

ded with brilliant
onomic, sociology,
psychology. It is
social science that
"asabiyah" (social
which has provided
.[47]

Besides being occupied with highly intellectual work, his was a restless soul. We find him as a professor at Al Azhar, associated as Minister of several governments, Chief Justice of Egypt and also a brave soldier, who with the King of Egypt fought against Timur. After defeat, became prisoner of war but the ferocious world conqueror Timur treated him with great respect for his profound knowledge and wisdom and discussed geography with this unique historian.[48]

We have briefly spotlighted the monumental work of Ibn-e-Khaldun so that our readers may appreciate the rational approach of the great Muslim historian in the era of 14th century to integrate the human society through "*asabiyah*" i.e. social cohesion and how so low is the mentality of Samuel Huntington, a Christian zealot, to disintegrate the mankind by his theory of clash of civilizations, which, in fact, is the clash of religions.

Abdur Rehman I (756-788 A.D)

Muslim Spain marked the zenith of civilization. During the period of Abdur Rehman and his successor despite internal trouble and external threats, Abdur Rehman-I was the great organizer and he had to cope with ambitious Charlemagne, Roam Emperor of 8th century.

Abdur Rehman II (822-852) inaugurated the era of great political and cultural splendour for Muslim Spain. He maintained friendly relations with the Byzantine empire Frankish King Charles and Sovereigns of Thart. He managed to subdue the intriguing hysterical campaign of Christian zealots incited by extremist chiefs Eulogies and Alvaro. The misguided fanatics began to revile the Prophet of Islam publicly to undermine the foundations of Muslim state. First, Abdur Rehman sought to persuade the criminals to retract from their nefarious activities but as they disavowed by their own ecclesiastical authorities, he was

obliged to impose the death penalty as required by the Islamic Law. Lane Pool commenting on this activist movement says that "those stupid misguided Christians threw away their lives without cause."[49]

Abdur Rehman-III (912-961) Lane Pole, paying tributes to Abdur Rehman-III says that it was he who had attained the high ideal of kingly greatness. A great King is the result of a great need. Under him and his son Al Hakam II(961-976) Andalusia enjoyed its prime of affluence, fame and influence. He brought about such a change in the condition of Spain as the wildest imagination could hardly conjure up. Out of chaos and imminent destruction Abdur Rehman had evolved order and prosperity. He restored peace and good governance throughout the Muslim domains. Never was the state so triumphant over disorder and the rule of law so widely felt and respected as during 50 years of his rule. The Sultan kept his treaties with Christians in good faith and observed the utmost clemency to those who remained faithful to the state. Ambassadors came to pay him court from the Emperor Constantinople, from the Kings of France, of Germany and of Italy. His power, wisdom, and opulence were a byword over Europe, Africa and the farthest limits of Muslim Empire in Asia. Berbers being associated with Muslims were no more barbaric, but became men of character. Same was the case with Spaniards who cheerfully adopted Islam and their conduct was dictated by the strict observance of the religion during the period of Muslim rule in Spain. Never was Andalusia so well cultivated, so teeming with gifts of nature, brought to perfection by the skill of industry of men as during his long rule.

Never was Cordoba so rich and prosperous as under the rule of Sultan Abdur Rehman III, who proclaimed himself to be caliph in 929 A.D and defender of faith. Cordoba, according to Arab writers was the bride of

lty as required by the
nting on this activist
misguided Christians
„49

.) Lane Pole, paying
hat it was he who had
itness. A great King is
and his son Al Hakam
me of affluence, fame
uch a change in the
gination could hardly
ent destruction Abdur
sperity. He restored
ughout the Muslim
mphant over disorder
respected as during
ept his treaties with
the utmost clemency
state. Ambassadors
eror Constantinople,
y and of Italy. His
yword over Europe,
m Empire in Asia.
ms were no more
Same was the case
d Islam and their
bservance of the
le in Spain. Never
eming with gifts of
of industry of men

rosperous as under
who proclaimed
defender of faith.
was the bride of

Andalusia and a German orthodox nurse lamenting on the crucifixion of Eulogies, describe Cordoba as jewel of the world, young and exquisite, proud in its might."

Qurtabah, says Al-Maaqasi, a learned man of Andulas, "Surpass all the cities of the world in four principal features: its bridge over the Guadalquivir (a corrupted Arabic name of Al Wadi-al-Kabir), its grand mosque, its beautiful palace Al-Zahra. above all the sciences cultivated and developed there."

Qurtubah (Arabic origin Qaryah-Tayyibah) was a pristine pleasant town. When all Europe was plunged in darkness and ignorance and savage manners, Qurtubah was intellectual capital of the Europe. It had carved its place as the most civilized city due to its material prosperity and higher intellectual attainments. Arts, literature and science prospered there as nowhere else in Europe. The surgeons and doctors were in the van of science. Abdul Qasim Al-Zahrawi (d.1013) was the founder of European surgery. His work was translated into Latin (1187) and was brought to Oxford, as late as 1778.[50] Women were encouraged to devote themselves to serious study of science and medicine and lady doctors were not unknown among the people of Qurdoba.[51]

Mosque of Qurtabah and Taj Mahal

Abdur Rehman and al Hakam's contribution to the Grand mosque of Qurtabah is still the wonder and delight to travelers. Iqbal, the poet of the East immortalized it in his classical poem; *Masjid-e- Qurtabah*. It is the most beautiful mosque ever built and there is no equal of it in the world. Taj Mahal of India is also one of the beautiful monuments of Muslim architectural art. But it is a dream of an emperor's love wrought into marble for the departed soul of his beloved queen. Unlike Taj, mosque of Qurtabah is human accomplishment of universal inspiration

reflecting absolute beauty of cosmos and the aesthetic dimensions of Islamic social life and Muslim civilization with its historical background. It served as a symbol of Islamic democratic and socialistic institutions existed centuries before the dawn of western democracies. There in the mosque the ruler and the commoner stood side by side with the spirit of equality and brotherhood.

The probable dimension of the great mosque with the splendid gates was within the area of not less than 10 miles.[52] The whole city was dotted with beautiful buildings, 50,000 houses for the state functionaries, 1,30,000 houses for common people, 37 libraries, numerous book stores, 150 hospitals, 900 educational institutions, 80455 shops, 600 inns, 700 mosques and as many as 900 public baths.[53] Baths are important features of civic life of Muslims who believe physical cleanliness as half of their faith and an essential preparation for prayers and recitation of holy Quran. While the monks and nuns of Europe boasted of their filthiness, so much so that a nun recorded with pride the fact that upto the age of sixty she had never washed any part of her body.[54] Christians usually forbade washing and even the scholars in Oxford and Paris regarded bathing as a heathen practice.[55] The people of Qurtabah enjoyed a high standard of living and refinement and walked on paved streets with lamp posts giving light at night. All this at a time when Parisians and Londoners were still trudging on muddy, dark streets.[56] The gardens of Qurtabah had tempting names, which seems to invite one to repose beside the trickling waters and enjoy the sweet scent of flowers and fruits.

Great thinkers of Qurtabah

Besides the social and cultured life, the Qurtabah was an international intellectual centre of the world. It was the house of influential thinker of Islam like Ibn-Rushd (Averroes (1126-1198), first commentator of Aristotelian

Philosophy in Europe, the gr
Mohiuddin Ibn Arabi, founde
Unity of Being" (Wahdat-al
(994-1064), grandson of a Sp
most original thinkers whose
al-Milal-wa-Al Nihal in whi
Christianity and Zoroastrianis
genius His varied character c
jurisprudence, logic, history
and theology. He exhibited a
profound insights about
relationship.[56-A] *Professor*
Egyptian Scholar differs wit
ancestors were Arab. This
historians, geographers, poli
We have narrated the histori
in the words of Christian
comparative study of supreme
in Spain with that of contem
respect to the free education,
all spheres of life. They intro
minded tolerance to all reli
priesthood in Islam. No one
God. So one can claim to be
pity (taqwah). The powerful
compelling atmosphere of m
(natives of Spain) towards Is
growing religion in Muslim
orthodox priests had lost t
state, so a group of ambitio
was misguided and incite
Eulogius and his associat
create monstrous trouble f
Muslim dynasty. Most of th
anxious to emphasize their
well treated, free to wors

of cosmos and the aesthetic
al life and Muslim civilization
ınd. It served as a symbol of
ocialistic institutions existed
western democracies. There in
commoner stood side by side
l brotherhood.

ion of the great mosque with
n the area of not less than 10
lotted with beautiful buildings,
unctionaries, 1,30,000 houses
aries, numerous book stores,
ıal institutions, 80455 shops,
s many as 900 public baths.[53]
of civic life of Muslims who
as half of their faith and an
yers and recitation of holy
l nuns of Europe boasted of
ıat a nun recorded with pride
ty she had never washed any
usually forbade washing and
d Paris regarded bathing as a
of Qurtabah enjoyed a high
ment and walked on paved
light at night. All this at a
oners were still trudging on
gardens of Qurtabah had
o invite one to repose beside
the sweet scent of flowers

cultured life, the Qurtabah
centre of the world. It was
r of Islam like Ibn-Rushd
ɔmmentator of Aristotelian

Philosophy in Europe, the greatest Sufi, Sheikh-ul-Akbar Mohiuddin Ibn Arabi, founder of mystics school of "The Unity of Being" (Wahdat-al Wajud), Imam Ibn Hazam (994-1064), grandson of a Spanish convert and one of the most original thinkers whose decisive work is al-Fasal Fi-al-Milal-wa-Al Nihal in which he treats Islam, Judaism, Christianity and Zoroastrianism. Ibn Hazam was a versatile genius His varied character covers an impressive range of jurisprudence, logic, history ethics, comparative religion and theology. He exhibited a sensitive spirit and expressed profound insights about the dimensions of human relationship.[56-A] *Professor Muhammad abu Zuhara, Egyptian Scholar differs with this view and says that his ancestors were Arab.* This is not the exhaustive list of historians, geographers, political thinkers of that period. We have narrated the historical background in some detail in the words of Christian writers for the purposes of comparative study of supreme art of peace of Muslim rulers in Spain with that of contemporary Kings of Europe with respect to the free education, moderation and temperance in all spheres of life. They introduced humanitarianism, broad minded tolerance to all religions. Above all there is no priesthood in Islam. No one is mediator between man and God. So one can claim to be superior only on the ground of pity (taqwah). The powerful appeal of equality of man and compelling atmosphere of mosques attracted the Spaniards (natives of Spain) towards Islam, which became the fastest growing religion in Muslim dominions of Spain. As the orthodox priests had lost their authority of church over state, so a group of ambitious and enthusiastic Christians was misguided and incited by the extremist's chief, *Eulogius and his associate Alvaro.* They attempted to create monstrous trouble for the peaceful reign of the Muslim dynasty. Most of the Christians were by no means anxious to emphasize their creed as they found themselves well treated, free to worship as they pleased with no

hindrance from the rulers or their functionaries and also free to trade with their Muslim neighbours. The Christians and the Jews were holding high positions in the state administration. But the zealots especially Eulogius and his companion Alvario instigated their followers to revile publicly the Prophet of God, which could not be tolerated by the rulers and Muslim citizen of Qurtabah, as the noble Prophet is the nucleus of their faith.

Tolerance of Muslim Rulers

Muslim rulers left the fanatics unpunished, who even reviled and insulted them before public. Once one of the leaders of rebels was dragged before Al Hakam. Addressing the Sultan in the heat of emotional rage the rebel leader said that he hated him as he was obeying the command of God. The king made the memorable reply: "He, who commanded thee, as thou dost pretend to hate me, commands me to pardon thee. Go and live, in God's protection."[57] But so far as the highly sensitive issue of the dignity of the Prophet of God is concerned, no Muslim ruler of Spain let any blasphemer go unpunished when his guilt is proved by the court after affording him an opportunity of hearing. Taking undue advantage of tolerance and benevolence of the rulers, the zealots started the hysterical movement of blasphemy which was intensified during the period of Abdur Rehman II.

In the next chapter we would describe the malicious and highly provocative activities of the fanatic clergy in Muslim Spain especially in its delightful capital Qurtubah during the period of peace and tranquaility of Muslim rule as narrated by the well-known historians, Reinhart Dozy and Stanley Lane Pole.

BLASPHEMY MOV

When Muslims becar
they treated the Christians wi
the reign of Abd-al-Rahman
ruler, several hundred thousar
fold of Islam. Infact they w
decent social behaviour of the

So writes Reinhart D
Cordova in his famous b
Christians many and those t
bewailing their lot; they suffe
allowed the free exercise of
content with the government
in Army while others held
Court. At the same time the
profess, practise and propag
for the pupils of their commu

Eulogius and Flora

In Muslim Spain, Elo
the priest of the church of S.
by fasting and showed the le
And yet his religious life and
feeling of sexual love which
condour. Reinhert Dozy ofte
character, saying that inspe
special pleasure.

There was then living
girl named Flora between w
Eulogius grew up a strange n
mixed marriage, she was b
however, having died durin
been instructed by her mot
brother, a devoted Muslim,
attend the church frequently.

their functionaries and also
n neighbours. The Christians
high positions in the state
especially Eulogius and his
d their followers to revile
which could not be tolerated
en of Qurtabah, as the noble
faith.

fanatics unpunished, who
before public. Once one of
dragged before Al Hakam.
heat of emotional rage the
him as he was obeying the
made the memorable reply:
s thou dost pretend to hate
thee. Go and live, in God's
highly sensitive issue of the
d is concerned, no Muslim
ier go unpunished when his
rt after affording him an
ing undue advantage of
he rulers, the zealots started
f blasphemy which was
Abdur Rehman II.

would describe the malicious
ies of the fanatic clergy in
delightful capital Qurtubah
tranquaility of Muslim rule
historians, Reinhart Dozy

BLASPHEMY MOVEMENT IN SPAIN

When Muslims became rulers of Andalus (Spain), they treated the Christians with grace and modesty. During the reign of Abd-al-Rahman III, who was a kind-hearted ruler, several hundred thousands of Christian came into the fold of Islam. Infact they were much impressed by the decent social behaviour of the Muslims.

So writes Reinhart Dozy about the Christians of Cordova in his famous book "Spanish Islam" "The Christians many and those the most enlightened were far bewailing their lot; they suffered no persecution, they were allowed the free exercise of their religion, so they were content with the government policy. Many of them served in Army while others held lucrative posts at the Royal Court. At the same time the clergy had also the right to profess, practise and propagate their religious instructions for the pupils of their community."

Eulogius and Flora

In Muslim Spain, Elogius was the first deacon and the priest of the church of S. Zoilus. He mortified the flesh by fasting and showed the least interest in worldly affairs. And yet his religious life and gloom is stained with intense feeling of sexual love which he confessed with delightful condour. Reinhert Dozy often alludes to this aspect of his character, saying that inspection of nunneries gave him special pleasure.

There was then living in Cordova a young beautiful girl named Flora between whom and a sexy-starved priest Eulogius grew up a strange mystical relation. The child of a mixed marriage, she was born as a Muslim , her father, however, having died during her early infancy, she had been instructed by her mother in Christian faith, but her brother, a devoted Muslim, did not like that she should attend the church frequently. This constraint weighted upon

Flora's mind and without her brother's knowledge she left her home with her sister. She under the apprehension that Christians may be persecuted on her account, returned voluntarily to her home and appeared before brother and declared that she was Christian whereupon he asked her: "Do you know, unhappy girl that by our law the penalty of apostasy is capital punishment". "I know well" she replied and said that she would find happiness in death. She was given beatings but it produced no effect. Her brother seeing that violence was fruitless, endeavoured to influence her by gentle persuasion. This proving equally ineffective, he took her to the court of Kadhi, before whom she rebuked her brother and denounced Islam. Kadhi after awarding punishment of whipping asked her brother to instruct her in the law of the state, as she was a minor at that time. If she did not change her mind, she should be brought back to him. Again she escaped from the house of her brother under the cover of night and remained in concealment for a considerable period in the house of a Christian acquaintance and it was there Eulogius saw her for the first time. Flora's beauty, the irresistible charm of her speech and manners, her romantic adventures, all combined to inflame the imagination of young priest accustomed though he was to self mistrust and self restraint.

Fearing his arrest he left Flora for somewhere else. Flora also disappeared from Cordova to seek refuge outside the city. After a lapse of six years he communicated his message of love to her recalling in details the deep romantic remembrance of their first meeting. In a passionate letter he wrote: "When I departed from there I was as one that walketh in a dream".

After her search at different places Flora was recovered and arrested with her Christian companion Mary whose brother was among the six monks who had offered themselves for punishment of death for committing

gross contempt of the Prophe
before the court of Kadhi,
defaming the holy Prophet. So
the proceedings of court. Eulo
once again when she was in
Marry. Here Flora related him
and her adamant attitude in the
those words" he wrote "from t
I strave to confirm her in he
crown which was laid up for h
and her companion Mary p
scaffold, he writes: "24 Nove
his triumph". "My brother"
"our virgins (Flora and Mary
joyously to meet the bride
heavens. Invited to the marria
entered the abode of the b
Stanley Lane Poole says: "Flo
she had sacrificed herself for a

Such events redoubled
the clergy of Cordova. They
cells and hiding places to lau
publicly. The goal of their lo
this end they had merely t
regard a monk Isaac set a
Christian parents of Cordov
Arabic. He was still a raw yo
a Katib (secretary) in the cou
But at the age of 24, he ga
ensconced himself in the c
studied the books of biased p
of an overpowering sentim
holiness by sacrificing his
monastery and appeared be
Cordova and said: "I want to

ther's knowledge she left
der the apprehension that
n her account, returned
eared before brother and
whereupon he asked her:
by our law the penalty of
'I know well" she replied
piness in death. She was
effect. Her brother seeing
oured to influence her by
ually ineffective, he took
whom she rebuked her
Kadhi after awarding
brother to instruct her in
minor at that time. If she
ould be brought back to
ne house of her brother
ned in concealment for a
nouse of a Christian
gius saw her for the first
le charm of her speech
ntures, all combined to
riest accustomed though
raint.

ora for somewhere else.
va to seek refuge outside
s he communicated his
g in details the deep
first meeting. In a
I departed from there I
'.

different places Flora
er Christian companion
he six monks who had
of death for committing

gross contempt of the Prophet. When they were brought before the court of Kadhi, they did not retract from defaming the holy Prophet. So they were kept in jail during the proceedings of court. Eulogius managed to meet Flora once again when she was in prison alongwith her friend Marry. Here Flora related him the blasphemy proceedings and her adamant attitude in the court of Kadhi. "As I heard those words" he wrote "from those lips sweeter than honey, I strave to confirm her in her resolve by pointing to the crown which was laid up for her". The day which saw Flora and her companion Mary persisting themselves on the scaffold, he writes: "24 November 851 A.D was a day of his triumph". "My brother" he further writes to Alvaro, "our virgins (Flora and Mary) instructed by us have gone joyously to meet the bridegroom who reigned in the heavens. Invited to the marriage feast by Christ they have entered the abode of the blessed." Commenting on it Stanley Lane Poole says: "Flora was as real a heroine as if she had sacrificed herself for a worthy sake".[57-A]

Such events redoubled the hatred and fanaticism of the clergy of Cordova. They decided to come out of their cells and hiding places to launch the blasphemy movement publicly. The goal of their longing was death so to achieve this end they had merely to revile the Prophet. In this regard a monk Isaac set an example. Born of wealthy Christian parents of Cordova, Isaac was well versed in Arabic. He was still a raw youth, when he was appointed as a Katib (secretary) in the court of Amir Abd-ur-Rahman II. But at the age of 24, he gave up the charm of life and ensconced himself in the convent of Tabanos. There he studied the books of biased priests and came under the spell of an overpowering sentiments that he should achieve holiness by sacrificing his life. One day he left the monastery and appeared before the Court of Khadi of Cordova and said: "I want to embrace your religion. Kindly

instruct me in it". Pleased with it, the Kadhi began to explain the Islamic discipline and tried to bring him around.

But during the discourse, due to access of fanaticism which bordered on frenzy, he directly defiled the sacred name of the holy Prophet and used nonsensical derogatory remarks against him. The kadhi opened his lips without being able to utter a word, and shedding tears smote Isaac on his cheek. "Calm down yourself" said the Counselors "Be mindful of your prestigious status and remember that our Islamic law forbids us to insult even the man who has been condemned to death".

"Unhappy man" said the Kadhi addressing the monk "perchance you are drunk or have lost the reason and don't you know the immutable law of Islam. You have spoken so recklessly about the Prophet that comes within the mischief of law of blasphemy."

"Condemn me to death" insisted the monk, "I am longing for it". The death sentence of the Monk was executed by the order of the King Abdur Rehman on June 3, 851.

Two days after Isaac's execution one of the Sultan's guard named Sancho blasphemed the Prophet. He was also put to death. On 7th June six monks among whom was Jeremias Isaac's Uncle and one Habentius appeared before Kadhi and cried: "We also echo the words of our holy Brothers." They all were beheaded. Thereafter; two other priests who blasphemed the holy Prophet also went to the gallows. But the majority of Christians who had been living in peace were naturally perturbed by this strange outbreak. "The Sultan", they said to zealots, "allowed us to exercise our own religion and does not oppress us, to what purpose, then, is this fanatical zeal? Those whom you dub martyrs are nothing of the kind; they suicide to cause chaos which is sinful in Christianity. Had they read Gospel they would

have found written therein: "
them that hate you." Inst
Muhammad they ought to h
of Jesus "Slanderers shall n
Such were the arguments u
but majority of the priests
annoyed that they rebuke
preaching tolerance and pea
they were inciting hatre
Christian endowed with an
was Katib (secretary to the
able to speak and write Ar
elegance. He had supreme
disapproved the suicidal a
any reason.[58]

Council of Bishops to pre

The Muslim gover
this strange form of revol
vengeance. The pressing
how to prevent this activit
of faith. If these mar
Muhammad, the penalty
law of Islam. The Sultan
powers at his command to
force, did not do so and
in a dignified way. He,
Bishops for their conse
church to declare a blas
death as martyrdom.
Christian henceforth.

Gomez played a
declaration by this
representative of the cro
promulgated with the
Eulogius and his friend

vith it, the Kadhi began to
nd tried to bring him around.

ourse, due to access of
renzy, he directly defiled the
phet and used nonsensical
n. The kadhi opened his lips
word, and shedding tears
lm down yourself" said the
our prestigious status and
forbids us to insult even the
o death".

the Kadhi addressing the
or have lost the reason and
e law of Islam. You have
Prophet that comes within
y."

' insisted the monk, "I am
ntence of the Monk was
ng Abdur Rehman on June

ecution one of the Sultan's
d the Prophet. He was also
monks among whom was
Habentius appeared before
o the words of our holy
ded. Thereafter; two other
Prophet also went to the
stians who had been living
d by this strange outbreak.
s, "allowed us to exercise
press us, to what purpose,
e whom you dub martyrs
cide to cause chaos which
y read Gospel they would

have found written therein: "Love your enemies, do good to them that hate you." Instead of reviling the Prophet Muhammad they ought to have borne in mind, the saying of Jesus "Slanderers shall not enter the Kingdom of God". Such were the arguments used not only by common man but majority of the priests as well. And Alvaro were so annoyed that they rebuked the priests who had been preaching tolerance and peace with unbelievers. Especially they were inciting hatred against Gomez, a modest Christian endowed with an active and penetrating mind. He was Katib (secretary to the Government of Spain) and was able to speak and write Arabic with remarkable purity and elegance. He had supreme contempt for fanaticism and disapproved the suicidal acts of the poor priests without any reason.[58]

Council of Bishops to prevent blasphemy movement

The Muslim government of Spain was alarmed at this strange form of revolt with savage desire of political vengeance. The pressing problem for the government was how to prevent this activity of self-destruction in the name of faith. If these maniacs blasphemed the Prophet Muhammad, the penalty was death according to immutable law of Islam. The Sultan Abdur Rehman, having all the powers at his command to crush the seditious movement by force, did not do so and proceeded to resolve this situation in a dignified way. He, therefore, formed a council of Bishops for their consensus of opinion to prevent the church to declare a blasphemer's self imposed penalty of death as martyrdom. The council resolved to forbid Christian henceforth.

Gomez played an important role in obtaining this declaration by this ecclesiastical council as the representative of the crown. When the decree of the council promulgated with the approval of the chamberlain, Eulogius and his friend used it as an instrument against the

council. They arrogantly defied the authority of prelacy without foreseeing the consequences of their own audacity. The chief of Metropolitan Church, faithful to his promise, ordered the arrest of the leaders of the faction. So the police officers after due warning arrested him in the midst of his terrified family. He and his partymen who were also hiding themselves were sent to the prison after the arrest. All of them were tried by the established court of law and sentenced to death.

Eulogius was executed on March 11, 859 AD during the period of King Muhammad son of Abdul Rehman-II. After the death of Eulogius, the Christian Zealots lost their heart and we hear no more of their fanatic movement against the Muslim government.

Karen Armstrong is also of the same opinion. In the biography of the Prophet "Muhammad" she writes:

"Ninth-century Cordova was not like Bradford in 1988. The Muslims were powerful and confident. They seemed extremely reluctant to put these Christian fanatics to death, partly because they did not seem in control of their faculties but also because they realized that last thing they needed was a martyr-cult. Muslims were not averse to hearing about other religions. Islam had been born in the religious pluralism of the Middle East, where the various faiths had coexisted for centuries. The Eastern Christian empire of Byzantium likewise permitted minority religious groups liberty to practice the faith and to manage their own religious affairs. There was no law against propaganda efforts by Christians in the Islamic empire, provided they did not attack the beloved figure of the Prophet Muhammad. In some parts of the empire there was even an established tradition of scepticism and freethinking which was tolerated as long as it kept within the bounds of decency and was not too disrespectful."[58-A]

CHAPTER IX

The Blasphemy Law in Islamic Countries

It is well-establissed unanimous religious opinion prevalent in different Islamic compendium of law that the punishment of blasphemy of the holy Prophet is death. It is worth mentioning that in all ages the Muslim countries without exception had been awarding death punishment for blasphemy of the Holy Prophet. Let us say that as long as the Shariah had been under practice in Hijaz, Syria, Egypt, Sudan, Morocco, Spain, Turkey, Samarkand, Bukhara, Iran, Afghanistan and even in India throughout the Muslim period, this penalty had continued to be enforced as divine law. In fact there has been a consensus of opinion on this extremely sensitive matter. Nor for that matter had the reasonable adherents of other religions opposed it. Because from the Islamic point of view all prophets had basically given humanity the one and the same message. Yet in terms of being close to God, moral excellence and achievements, they were certainly not analogous to each other. What is more, Islam forbids its followers to humiliate even the deities of other religions, lest they should have the excuse to do the same with regard to Allah and His Prophet. However, it prescribed the penalty of death for a despicable wretch who feels no scruple of conscience in blaspheming the holy Prophet Muhammad or other Prophets of God.

Arabian Peninsula

In the Prophetic era and post-caliphate period speaking ill of the Prophet Muhammad would bring death penalty to the culprit in the Arabian peninsula. This is born out by Abdur Razzaq, the author of Al-Musnnaf who was teacher of Imam Bukhari. He has reported that death sentence was awarded to a Christian for blaspheming the Holy Prophet during the post Khilafat period.

Egypt

In Egypt the courts gave decisions according to this law because all the schools of thought which had their own courts were united on the penalty of death for blasphemy.

In Syria: A Heinous Crime Of Conspirators

During the reign of Sultan Nuruddin Zengi (1118-1174 AD), a heinous but abortive attempt was made by two Christians to break into the tomb of the holy Prophet Muhammad. Miraculously, Sultan Nuruddin Zengi had a dream in which the holy Prophet pointed towards two blue eyed persons and asked him", Protect me against them". The Sultan was much upset when he awoke. He offered non-obligatory cycle of prayers. When he lay down to sleep, he had the same dream. This happened thrice so he got up. After consultation with his senior minister, the Sultan began preparation for going to Medinah. On the 16th day, he reached his destination. Now the problem for him was to formulate modus operandi to achieve his object. At last the minister made the announcement that the Sultan was on a visit to Medinah and wanted to distribute gifts and bounties to the citizens of Madina. Almost all the people appeared before the Sultan and received gift from him one by one. The Sultan kept looking at the face of each person so as to identify the faces he had seen in the dream. All the people of Medinah passed by him but the culprits could not be traced. The Sultan ordered that if anyone was left, he should be presented before him. He was told that only two men could not turn up because they were too pious, self-secluded and spend all their time in worshiping Allah. They were also sent for and the Sultan recognized them at the very first glance. "Who are you, and why are you staying here"? He asked. They replied that they belonged to the West and had come for Haj but the sight of the Prophetic tomb had held them back from returning to their country. The Sultan left both of them there and went to their quarter

in a nearby inn. But nothing
the Sultan and that made him

The people of Medina
persons and mentioned al
including fasting, prayers a
remained dissatisfied with a
came into his mind and h
(made of palm leaves) c
underneath was a stone. W
tunnel came to sight which
tomb.

On inquiry they dis
and had been deputed by
Prophet's body and take it
been digging out the tunne
earth in the vicinity of Me

Sultan Nur-ud-din
heard the details. But hi
think that the holy Proph
his humble follower for
orders the two heinous
morning and their bodi
evening. In order to aver
he got dug out a deep ci
filled it with molten lead

Afghanistan

In Afghanistan a
death under this law
century. Allama Alusi
about the enforcement
Samarkand and Bukha

've decisions according to this
thought which had their own
ty of death for blasphemy.

f Conspirators

ltan Nuruddin Zengi (1118-
ve attempt was made by two
tomb of the holy Prophet
tan Nuruddin Zengi had a
et pointed towards two blue
Protect me against them".
hen he awoke. He offered
s. When he lay down to
This happened thrice so he
his senior minister, the
ng to Medinah. On the 16th
Now the problem for him
to achieve his object. At
uncement that the Sultan
nted to distribute gifts and
a. Almost all the people
ceived gift from him one
t the face of each person
een in the dream. All the
but the culprits could not
t if anyone was left, he
e was told that only two
ey were too pious, self-
worshiping Allah. They
recognized them at the
nd why are you staying
t they belonged to the
sight of the Prophetic
rning to their country.
nd went to their quarter

in a nearby inn. But nothing suspicious was found there by the Sultan and that made him all the more perplexed.

The people of Medinah said a lot in favour of those persons and mentioned all details of their devotions, including fasting, prayers and night vigils. But the Sultan remained dissatisfied with all that, all of a sudden an idea came into his mind and he turned over the prayer-mat (made of palm leaves) of those two suspects. There underneath was a stone. When the stone was removed a tunnel came to sight which had reached up to the Prophet's tomb.

On inquiry they disclosed that they were Christians and had been deputed by their monarch to dig out the Prophet's body and take it away from the grave. They had been digging out the tunnel at night and throwing away the earth in the vicinity of Medinnah.

Sultan Nur-ud-din Zengi became furious when he heard the details. But his voice choked with emotion to think that the holy Prophet Muhammad had chosen him as his humble follower for this noble cause. On the royal orders the two heinous culprits were murdered in the morning and their bodies were consigned to fire in the evening. In order to avert such a dastardly attempt in future he got dug out a deep circular trench around the tomb and filled it with molten lead.

Afghanistan

In Afghanistan a contemptuous Qadiyani was put to death under this law before partition of India in 20th century. Allama Alusi and Allama Abu-ul-Layth tell us about the enforcement of the Blasphemy Law in Turkey, Samarkand and Bukhara.

Iran

Iran has enforced the Blasphemy Law and issued edict of death against Salman Rushdie for publicly blaspheming the holy Prophet of God. This proclamation of death was again reaffirmed by Islamic Council of Iran in 2004. Despite all western protecti n, Rushdie is constantly living under the shadow of death.

During Muslim Rule in Spain

On gaining political ascendancy in Spain, the Muslims brought with them a progressive culture and liberalism characterizing socio-economic justice and materiai welfare which directly ran counter to the fossilised anti-human outlook of the clergy. This change was, no doubt, an unwelcome sign for the feudalistic and privileged classes of Christian community but came trailing in its wake relief and uplift for the masses. The loss of clout made the church hostile against Islam and Muslim rulers, so a vindictive mood overwhelmingly came over it. If the clergy had made the Muslim rule or the political system of Islam the target of their criticism with venomous outpourings, the government would have ignored it. Traditionally, the rightly guided caliphs and Muslim rulers would large-heartedly forgive their denigrators. The ecclesiastical leadership was fully conscious of this particular trait of their character. At the same time, they knew that Muslims and their rulers were very sensitive about the insult of their Prophet. The Spanish priests hatched a mischievous conspiracy to blaspheme the Prophet of Islam.

In pursuance of this conspiracy they launched a campaign of Blasphemy against the holy Prophet in the Muslim Spain. It was highly provocative criminal activity and punishment of death was prescribed for such slanderous attacks on their beloved prophet.

All the courts t
the Blasphemy Law a
Justice Qazi Ayaz in
same book also menti
who, according to una
Andalus, were given de
Prophet Muhammad. W
practice with regard to
God in Spain in previou

During the Muslim rul

During the Mus
the Prophet were punisl
we mention two blasph
Mughal period. One ca
an illiterate King, wh
Hindu consorts and h
courtiers. All the state
lines. Mulla Abdul Qa
has mentioned a histor
book, *Muntakheb-ut-T*
the Qazi of Mathra, r
(Sheikh Abdul Ghani,
the local Muslims wan
arrogant Brahaman to
possession and started
(as a Judge) wanted
the said accused, he i
speak ill of the Prop
The Grand Sheikh se
Therefore, the King
brought him to Delhi.
King and stated what
affirmed that the Bra
the holy Prophet. Ab
ulema were divided i

lasphemy Law and issued
an Rushdie for publicly
God. This proclamation of
Islamic Council of Iran in
ti n, Rushdie is constantly

scendancy in Spain, the
progressive culture and
o-economic justice and
in counter to the fossilised
gy. This change was, no
feudalistic and privileged
but came trailing in its
asses. The loss of clout
slam and Muslim rulers,
ngly came over it. If the
or the political system of
ticism with venomous
ould have ignored it.
liphs and Muslim rulers
their denigrators. The
lly conscious of this
At the same time, they
ers were very sensitive
t. The Spanish priests
cy to blaspheme the

iracy they launched a
e holy Prophet in the
cative criminal activity
prescribed for such
rophet.

All the courts throughout Muslim Spain enforced the Blasphemy Law as mentioned by Cordoba's Chief Justice Qazi Ayaz in his classical book *Ash-Shifa*. The same book also mentions several cases of blasphemers who, according to unanimous decision of the ulema of Andalus, were given death penalty for slandering the holy Prophet Muhammad. We have given in detail the law and practice with regard to blasphemy of the holy Prophet of God in Spain in previous chapter of this book.

During the Muslim rule in India

During the Muslim rule in India, the slanderers of the Prophet were punished under the Blasphemy Law. Here we mention two blasphemy cases which took place in the Mughal period. One case is related to the period of Akbar, an illiterate King, who was under the influence of his Hindu consorts and had been misled by his sycophant courtiers. All the state affairs were being run on secular lines. Mulla Abdul Qadir Badayuni, a courtier of Akbar, has mentioned a historic case of blasphemy in detail in his book, *Muntakheb-ut-Tawareekh*. He writes: "Abdur Rahim, the Qazi of Mathra, referred a case to the Grand Sheikh (Sheikh Abdul Ghani, Chief Justice of India), stating that the local Muslims wanted to erect a mosque. But a wealthy, arrogant Brahaman took the construction material in his possession and started building a temple with it. When he (as a Judge) wanted to initiate penal proceedings against the said accused, he in the presence of witnesses, began to speak ill of the Prophet and wildly abused the Muslims. The Grand Sheikh sent for him, but he refused to appear. Therefore, the King sent Birbal and Abu-al-Fadhal who brought him to Delhi. Abul-Fadhal submitted report to the King and stated what he had heard from the witnesses. He affirmed that the Brahaman used abusive language against the holy Prophet. About the punishment of blasphemy the ulema were divided into two groups. One group was of the

view that death penalty should be awarded to the blasphemer and the other group laid stress on punitive action against him.

The matter was prolonged and the Sheikh urged the King to give assent to his judgment for execution of the sentence. The King did not allow it explicitly and vaguely remarked: "This is Shariah matter and its implementation is within your jurisdiction. Why do you seek our opinion?"

The Brahman remained in prison for a long period on account of this dispute. The consorts in the palace kept entreating with the King for his release. Since Akbar had great regard for the Sheikh, he did not give order of his release. When the Sheikh persistently urged the King to order the execution of the Brahman, he gave same reply: "I have already told you to do what you deem fit."

Immediately after this the Sheikh ordered the execution of the Brahman. Consequently he was beheaded."

Mullah Abdul Qadir Badayuni, who knew all the details of the case, further says: "Suddenly one day, the King caught sight of me from a distance and asked me to come forward. When I reached nearer the king, he said: Have you heard about the saying of the Prophet that if ninety-nine witnesses go against an offender and one witness goes in his favour, a Mufti would prefer evidence of one witness. I said: 'yes my lord, it is' exactly so. I quoted the Prophetic saying and translated it into Persian for him. 'Punishment should be avoided in case of doubt." However, I said: "the case was decided according to Maliki Fiqh. Then the king asked me, was the Sheikh unaware of this moot-point."'?

Despite the promptings of his Hindu consorts and sycophant courtiers, Akbar could not dare to hold the

Sheikh accountable for t
majority of ulema were i

The other import
of Mughal rule in the
historian Dr. B.S. Najjar
when Zakariyah Khan
the Punjab. He writes th
was married to a Hindu
and used derogatory re
Fatima. The Muslim tea
which awarded 80 strip
sentence for blasphemi
refused to pardone the
Sikh population. So the
The Sikh and Hindu c
Basant fare in memory
Dr. Najjar further says
insulting words when
Hindu religion.[59]

It should be b
historian has narrated t
to poison the minds o
Muslims.

Factually speak
speak ill of the leade
should react insolently
Muslims respect all
They never repudiate
demigods, Ram Chan
the Muslims conside
monotheism. Hence
Muslim teacher that h
seems to be implausibl

be awarded to the
id stress on punitive

the Sheikh urged the
for execution of the
xplicitly and vaguely
its implementation is
eek our opinion?"

on for a long period
rts in the palace kept
se. Since Akbar had
ot give order of his
urged the King to
gave same reply: "I
eem fit."

Sheikh ordered the
sequently he was

who knew all the
denly one day, the
ce and asked me to
the king, he said:
the Prophet that if
offender and one
uld prefer evidence
it is' exactly so. I
ted it into Persian
in case of doubt."
cording to Maliki
Sheikh unaware of

indu consorts and
dare to hold the

Sheikh accountable for this action because he knew that the majority of ulema were in favour of the Sheikh' decision.

The other important case is related to the last period of Mughal rule in the very city of Lahore. A Hindu historian Dr. B.S. Najjar has narrated the detail of the case when Zakariyah Khan (1707-1759) was the Governor of the Punjab. He writes that a Sikh student Haqiqat Rai, who was married to a Hindu girl blasphemed the holy Prophet and used derogatory remarks against his beloved daughter Fatima. The Muslim teacher referred the case to the court which awarded 80 stripes for insulting Fatima and death sentence for blaspheming the holy Prophet. The Governer refused to pardone the culprit on appeal of the Hindu and Sikh population. So the sentence was executed accordingly. The Sikh and Hindu community of the Punjab celebrate Basant fare in memory of Haqiqat Rai as martyr of faith. Dr. Najjar further says that Haqiqat Rai had uttered the insulting words when his master spoke ill of deities of Hindu religion.[59]

It should be borne in mind that a biased Hindu historian has narrated this incident with an ulterior motive to poison the minds of the Hindus and Sikhs against the Muslims.

Factually speaking, Islam forbids its followers to speak ill of the leaders of other religion lest somebody should react insolently towards God and His Prophet. The Muslims respect all Prophets passed away before him. They never repudiated the historical status of Hindu demigods, Ram Chandarji and Krishan Maharaj. Besides, the Muslims consider Guru Nanak as a preacher of monotheism. Hence the charge against Haqiqat Rai's Muslim teacher that he had insulted the Hindu demigods seems to be implausible and spurious.

As for the penalty relating to the insult and slandering of the Prophet Muhammad and his daughter Fatima, the then Punjab Governor had awarded the punishment according to the Islamic Law, disregarding any external pressure. But the background of this incident with regard to the Muslim teacher seems to have been concocted by the biased mind of the author. This bias mostly pervades the whole book. The author even fails to resist the prejudice of calling the partition of India as unnatural and unpardonable crime of history. This clearly shows the biased mind of the so called historian.

CHAPT

A Zealous Apologist For *Sata*

A self-styled Maulana
wrote some articles which wer
Urdu captioned, "Shitm-e-Ras
the Prophet's Blasphemy). U
"tolerance", "freedom", "fr
"freedom of thought" he has
cause of Salman Rushdie,
Verses". In his book Wahid
speaking ill of the Prophet
offence and the large-scale pr
a "foolish campaign". In olde
no concept of freedom of spe
peculiarity of modern age,
journalist, Edward Mortime
Rushdie, condemning protes
says:

"We find ourselves c
war of ideas... Their (Britis
less passionate feelings of
equally offensive to our relig
mean Christianity. The Chris
very awkwardly placed in
strongly of incitement to m
sympathy with the Muslim
"blasphemy". But Christiani
Britain in the sense that Isla
not Christianity that binds
because we have long sinc
religious uniformity on ours
and members of other faiths
national life. The religion o
world" to which it belong
founding fathers are Loc

ing to the insult and
nmad and his daughter
nor had awarded the
c Law, disregarding any
nd of this incident with
s to have been concocted
his bias mostly pervades
ils to resist the prejudice
dia as unnatural and
This clearly shows the
n.

CHAPTER X

A Zealous Apologist For *Satanic Verses* Of Rushdie

A self-styled Maulana Wahiduddin of India in 1996 wrote some articles which were published in a book form in Urdu captioned, "Shitm-e-Rasool ka Masla" (The issue of the Prophet's Blasphemy). Under the pretext of terms like "tolerance", "freedom", "freedom of expression" and "freedom of thought" he has tried to vindicate the diabolic cause of Salman Rushdie, the author of the "Satanic Verses". In his book Wahiduddin takes the position that speaking ill of the Prophet Muhammad is, indeed, no offence and the large-scale protests in this regard were just a "foolish campaign". In older days, he believes, there was no concept of freedom of speech and thinks it to be the only peculiarity of modern age, as elucidated by a British journalist, Edward Mortimer. In his article on Salman Rushdie, condemning protests against Rushdie Mortimer, says:

"We find ourselves caught up in a religious war, a war of ideas... Their (British people) reaction arouses no less passionate feelings of outrange in us, because it is equally offensive to our religion. By "our religion" I do not mean Christianity. The Christian establishment is, in fact, very awkwardly placed in this affair: it disapproves strongly of incitement to murder but clearly feels some sympathy with the Muslim demand for censorship of "blasphemy". But Christianity is no longer the religion of Britain in the sense that Islam is the religion of Iran. It is not Christianity that binds us together as a community, because we have long since given up trying to impose religious uniformity on ourselves or to exclude unbelievers and members of other faiths from full participation in our national life. The religion of this country, and of the "free world" to which it belongs, is, precisely, freedom. Its founding fathers are Locke, Voltaire, Burke, Wilkes,

Thomas Paine, the authors of the American Constitution and of the Declaration des Droits de I'home. Unlike Iranians, we are brought up to think it primitive to fight over metaphysical belief, but to think of fighting for freedom as something admirable. Of course, like other peoples, we practise this religion imperfectly, and not everyone takes it as seriously as do journalists, the self-appointed priests or mullahs of the cult. But the idea of sentencing a writer to death for what he wrote is just as offensive to modern western sensibilities as the idea that Christ might have liked to make love to Mary Magdalene, or that the Prophet might occasionally have listened to Satan, is to traditional Christian or Muslim ones."

After referring to the above passage from the article of British journalist Wahiduddin says: "For the first time in history this freedom has opened all the doors of the expression of thought for everybody. Freedom of thought has today become the inalienable right of man which is hardly deniable".

The same fallacious plea of freedom of expression was invoked to justify sacrilegious cartoons and caricatures of the holy Prophet of Islam published by a Danish Newspaper and re-printed by newspapers of other western countries in the year 2006 in violation of the UN Charter of Human Rights. This outraged the feelings of 1.5 billion Muslims across the world. We disucussed this issue here at length as the blasphemous cartoons are extention of Rushdie's novel "Satanic Verses". Maulana Wahiddudin defending Rushdie writes: "Rushdie has used this right of freedom of expression in the Satanic Verses."

In our opinion this is perverse thinking of the Maulana. In every age Satan (Devil) insinuates into human mind ever new terms and phraseologies which are apparently very attractive and appealing but in reality they are the most effective weapons to corrupt and dehumanize

the human mind. In the 18
justification for obscenity and
"Art for the sake of Art". Wh
fossilized and time-worn, it wa
its guise, all manner of pervers
play. When his aims and objec
in the name of "Art" then Sa
"freedom of thought". This
unbridled and wiped out all m
nurtured in Europe and Ameri
they were deprived of mora
Thereafter it spread to other co

Very early it had streak
by Iqbal, the philosopher poet
mischief was rooted. He, ther
Asia that the freedom of thou
origin. Through it Satan thro
religion and all modes of mo
behaviour. For it he perpetu
succour and reinforcement to
followers. Propped up by the
Rushdie was audacious enoug
onslaught against the heart a
that is, the holy Prophet Muha

The worst aspect of t
rootless and self-styled Mau
India, is the only full-fledged
amongst the whole Ummah
"tolerance is the substitute fo
for mental enslavement. Pitia
journalist's article he has com
intellectuals such as Locke,
role models because in his vi
standard bearers of freedom
thought, devoid of the prophet

he American Constitution
roits de I'home. Unlike
think it primitive to fight
to think of fighting for
le. Of course, like other
ion imperfectly, and not
s do journalists, the self-
the cult. But the idea of
what he wrote is just as
sibilities as the idea that
love to Mary Magdalene,
sionally have listened to
Muslim ones."

e passage from the article
ays: "For the first time in
d all the doors of the
ody. Freedom of thought
e right of man which is

f freedom of expression
cartoons and caricatures
published by a Danish
spapers of other western
ion of the UN Charter of
feelings of 1.5 billion
cussed this issue here at
oons are extention of
. Maulana Wahiddudin
le has used this right of
c Verses."

rverse thinking of the
l) insinuates into human
aseologies which are
aling but in reality they
corrupt and dehumanize

the human mind. In the 18th century Satan provided justification for obscenity and immodesty in the name of "Art for the sake of Art". When the term started getting fossilized and time-worn, it was named as "Art" and under its guise, all manner of perversion and obscenity came into play. When his aims and objects remained below the target in the name of "Art" then Satan invented the phrase of "freedom of thought". This rendered mans' thought unbridled and wiped out all moral structures. First of all it nurtured in Europe and America as consequence of which they were deprived of moral and religious restrictions. Thereafter it spread to other countries of the world.

Very early it had streaked into socio-religious focus by Iqbal, the philosopher poet of the East as to where the mischief was rooted. He, therefore, warned the people of Asia that the freedom of thought is a is war of Satanic origin. Through it Satan throws up a challenge to faith, religion and all modes of morality and dignified human behaviour. For it he perpetually keeps sending support, succour and reinforcement to his hangers-on and camp-followers. Propped up by the diabolic vanguard, Salman Rushdie was audacious enough to launch his most wicked onslaught against the heart and soul of Muslim Ummah, that is, the holy Prophet Muhammad.

The worst aspect of this sordid episode is that a rootless and self-styled Maulana Wahiduddin Khan of India, is the only full-fledged supporter of Rushdie from amongst the whole Ummah. In his scheme of things "tolerance is the substitute for flattery whereas "freedom" for mental enslavement. Pitiably, after reading the British journalist's article he has come to believe that the western intellectuals such as Locke, Rousseau are the exemplary role models because in his view only they are the original standard bearers of freedom. Whereas their defective thought, devoid of the prophetic light, could not reach up to

the heights of the divine reality from which came the first ideal charter of Human Freedom on the occasion of the holy Prophet Farewell Haj Address. In fact Rousseau and his contemporaries failed to see the moral values which pervaded freedom on account of Islam alone. In order to ignite the flame of rebellion against the shackles of the Church and the Crown, they raised the slogan of absolute and unbridled freedom which erupted like a volcano with fury strength of the masses. They were not able to foresee the dangerous turn which it has taken and is currently afflicting humanity. Unless the moral restrictions of Islam are imposed on the freedom of thought and action humanity will never be able to acquire the objectives of freedom in its real sense and the process of human development shall remain incomplete. Wahiduddin has taken the two-century old untenable western concept as the phoenix of freedom. A lot of positive changes have occurred in the irrational and negative concept of freedom after quieting of revolutionary disquiet and upheavals in Europe. Because, at last the world had to seek recourse to the prophetic declaration of human freedom and the Caliph Umar's historic remark which had determined the limits of freedom with emphasis on moral values. Without moral sense human dignity and freedom of conscience are deceptive words and man remains on the border of hypocrisy. But Wahiduddin seems to have washed his hands of this established fact.

A study of Wahiduddin Khan's book reveals that he is ignorant of even the fundamentals of political science, constitutional law, and principles of jurisprudence. Otherwise he would not have beaten about the bush in a thoughtless way like a novice. We have already discussed the circumstances which had led Rousseau to stress the idea of absolute freedom. We may also not ignore the fact that Rousseau was full of paradoxes in his views related to social sciences. On the contrary Edmund Burke, his British contemporary, looked askance at the utopian view and

wishful thinking of the revolutio
break up long nourished social
political illusions and fantas
freedom and violence he had
birth to military dictatorship.
the Common Wealth with a m
views about freedom, he had
that freedom was necessary,
identified and established. In
approach as conservative and a
try to find in it balanced, pragm
elements which are characterist
for. We can safely say without
there is no such law or constitu
the world which is not based
reflecting limits of freedom wit

**Freedom of Expression in di
world**

Here we refer only
Constitutions which are avowe
provision for absolute freedom
Constitution of France of 195
that France shall ensure the e
the law, without discriminatio
religion, and that it shall resp
speech also secured, albeit wi
Government censors.[60]

Similarly, according to
Republic of Germany 1990, the
shall be bound by law and just
"Legislation shall be subject to
Executive and the Judiciary
justice."[61]

ality from which came the first
eedom on the occasion of the
Address. In fact Rousseau and
o see the moral values which
ınt of Islam alone. In order to
ɔn against the shackles of the
y raised the slogan of absolute
ch erupted like a volcano with
They were not able to foresee
it has taken and is currently
the moral restrictions of Islam
of thought and action humanity
e the objectives of freedom in
s of human development shall
ldin has taken the two-century
pt as the phoenix of freedom.
e occurred in the irrational and
after quieting of revolutionary
Europe. Because, at last the
o the prophetic declaration of
liph Umar's historic remark
its of freedom with emphasis
ɔral sense human dignity and
deceptive words and man
ɔcrisy. But Wahiduddin seems
is established fact.

n Khan's book reveals that he
ımentals of political science,
rinciples of jurisprudence.
beaten about the bush in a
. We have already discussed
ed Rousseau to stress the idea
also not ignore the fact that
ɔxes in his views related to
y Edmund Burke, his British
e at the utopian view and

wishful thinking of the revolutionaries. He was unwilling to break up long nourished social institutions for the sake of political illusions and fantasies. Condemning absolute freedom and violence he had predicted that it would give birth to military dictatorship. Recommending to constitute the Common Wealth with a moral base and expressing his views about freedom, he had told the House of Common that freedom was necessary, but its limits should be identified and established. Instead of labeling such an approach as conservative and anti-revolutionary, we should try to find in it balanced, pragmatic, sensible and cohesive elements which are characteristic of the values Islam stands for. We can safely say without the fear of contradiction that there is no such law or constitution, written or unwritten, in the world which is not based on the Islamic principles reflecting limits of freedom with moral obligations.

Freedom of Expression in different constitution of the world

Here we refer only to some of the leading Constitutions which are avowedly secular but without any provision for absolute freedom. First of all we refer to the Constitution of France of 1958. Its Article No.2 provides that France shall ensure the equality of all citizens before the law, without discrimination based on origin, race, or religion, and that it shall respect all beliefs. Freedom of speech also secured, albeit within limits, as evidenced in Government censors.[60]

Similarly, according to the Article No.20(3) of the Republic of Germany 1990, the Executive and the Judiciary shall be bound by law and justice. Article No.20 (3) states: "Legislation shall be subject to the constitutional order; the Executive and the Judiciary shall be bound by law and justice."[61]

It is obvious that rights conferred by the Constitution shall be used by remaining within the limits of law, rules and regulations with respect to individual's honour and dignity.

In the United States of America the freedom of expression was given after incorporating the first amendment in its Constitution. But it does not provide any provision for absolute freedom. Even the U.S Constitution, consistent with the decisions of the Supreme Court, put restrictions on its citizens speaking or writing in a manner that may cause incitement to the masses. The state is, therefore, authorized to seize through the use of its coercive powers, such freedom as may cause breach of peace or corrupts morals. In its historic verdict, the U.S. apex court has written that no one can be allowed to blaspheme Jesus Christ in the name of religious freedom because it injures the feelings of his followers.[62] An excerpt from this verdict has already been given in a previous chapter of this book – It is appendix "D".

According to unwritten British Constitution, no one is privileged to use one's tongue or pen in violation of British law under the pretext of civil liberty. In this regard, the celebrated legal and constitutional thinker of Europe A.V. Dicey writes:

"The administration of the modern statutory law gives a wide discretion to the administrator that he is in a position to encroach upon individual liberty of action. Even so it remains important to ensure that all administration is conducted in accordance with law."[63]

In Britain, however, an arrangement has been made for the freedom of speech. A small place known as the Speaker's Corner is marked in London's Hyde Park. In this small place every one is at liberty to say whatever he or she likes within the fixed hours. Yet none is allowed to display

lack of respect towards Je
Britain in any manner.

Wahiduddin Khan
unwisely with regard to the
to read the Articles of hi
Article 19 of the Constituti
liberties and other rights, C
the existing laws shall not
put it in this way, these ri
which are in force in India.
make laws to bring these
restraints appertaining to I
as well as with the law an
the individual, moral v
Interestingly, the word "de
India's constitution, does
constitutions.

We have not deem
Article of the Constitution
lest Wahiddudin Khan sho
not a secular constitutio
inappropriate to mention
Constitution of Pakistan.
restriction with civil liber
Article of the Indian Con
culture and morality as w
differentiates it from India
world is the emphasis th
disregard the *GLORY OF*
liberties.

Since Wahiduddin
say with almost certainty
the words *GLORY OF ISL*
that it was Islam which
presenting practically to

ights conferred by the
ıaining within the limits of
h respect to individual's

America the freedom of
incorporating the first
ut it does not provide any
Even the U.S Constitution,
f the Supreme Court, put
ng or writing in a manner
he masses. The state is,
ough the use of its coercive
cause breach of peace or
erdict, the U.S. apex court
lowed to blaspheme Jesus
reedom because it injures
ı excerpt from this verdict
ous chapter of this book –

itish Constitution, no one
ıe or pen in violation of
ivil liberty. In this regard,
itional thinker of Europe

ıe modern statutory law
ninistrator that he is in a
ıal liberty of action. Even
that all administration is
„63

angement has been made
nall place known as the
ndon's Hyde Park. In this
o say whatever he or she
one is allowed to display

lack of respect towards Jesus Christ or the monarch of Britain in any manner.

Wahiduddin Khan would not have said things unwisely with regard to the freedom of speech if he cared to read the Articles of his own country's Constitution. Article 19 of the Constitution of India is germane to civil liberties and other rights, Clause 2 of this article says that the existing laws shall not be affected by these rights. To put it in this way, these rights shall not outstep the laws which are in force in India. The state shall be empowered to make laws to bring these civil liberties under reasonable restraints appertaining to India's sovereignty and security as well as with the law and order situation and honour of the individual, moral values, culture and decency. Interestingly, the word "decency", as specifically used in India's constitution, does not appear clearly in other constitutions.

We have not deemed it fit to mention the relevant Article of the Constitution of Islamic Republic of Pakistan, lest Wahiddudin Khan should get unnerved, because it is not a secular constitution. However, it will not be inappropriate to mention here only Article 19 of the Constitution of Pakistan. This Article also tags the same restriction with civil liberties as mentioned above in the Article of the Indian Constitution pertaining to decency, culture and morality as well as law and order. But what differentiates it from India's and other constitutions of the world is the emphasis that no one shall be allowed to disregard the *GLORY OF ISLAM* under the pretext of civil liberties.

Since Wahiduddin Khan's psyche is secular, we can say with almost certainty that he will not be able to digest the words *GLORY OF ISLAM*. Yet we do want to tell him that it was Islam which had played pioneering role in presenting practically to the world the concept of civil

liberties bracketed with moral restrictions. Significantly all the countries of the world had already accepted Islamic ethos and made it an integral part of their Constitutions. Indeed the lack of moral conditions would push human society into chaos and anarchy, nor would for that matter any state or government would be able to maintain its survival. On account of little knowledge, which is more dangerous than ignorance, Wahiduddin Khan has been unable to grasp the exact and full import of freedom. No law on earth permits anybody to go beyond moral and legal obligations and conditions, renouncing in the name of freedom all that is good and decent. It would let out a stream of invective against others in total disregard of their sentiments and come to take it as a right of freedom of expressing his mind. Let Khan demonstrate the use of his right of freedom on the roof top of the Red Fort by making a tirade against Gandhi Ji, Jawahar Lal Nehru and the President of India. Then the police will befittingly make him understand the meaning of the freedom of speech by landing him at a place which is meant for lunatics and insane persons. Let us pose a question to those who preach the gospal of tolerance to Muslims and tell them to be patient with a blasphemer like Rushdie and blasphemous cartoonists of the West of 21st century. Would they be able to put up with all the slanderous, filthy and abusive language as used in his satanic book, if the same is directed at their own mothers, sisters and daughters? Or would they allow someone to ridicule and insult Jesus Christ publicly in their own democratic western societies.

Our campaign with respect to the dignity of the holy Prophet Muhammad resulted in enforcement of the Blasphemy Law in Pakistan. In my Urdu book '*Namoos-e-Rasool and Qanoon-i-Tauheen-i-Risalat*' (Dignity of the Prophet Muhammad and the Law of Blasphemy), I had already shattered the diabolic ideas which had been simmering in the minds of Wahiduddin and his like minded

favourites. One is just flabbe
changing 'U turns' taken by
overpowering fervour to sup
the Muslims all over the worl
accuses of fomenting mischi
writes: "The senseless agitati
in every part of the world t
has prompted the West to tal
Rushdie and girded up its lo
We cannot interpret the west
Rushdie in terms of hostili
leaders are thoughtlessly sa
the defense of their own be
defence of their own religio
between Muslims and Rushd
west have got sucked into thi

Wahid-dudin Khan s
of Islamic respectability and
if someone vituperatively at
Holy Prophet of Islam. Stil
remain silent spectators with
against such nuisance. He a
is compassionate and me
without any discriminati
unbelievers. True, the Hol
Humanity. But what would
surpasses all in the display
declares that those who disc
to the torments of hell-fire?

The Maulana must
book has been put to severe
point of view. What is mor
the West itself. Renowned
has suggested that Rushdie
a type of English which is b

estrictions. Significantly all
l already accepted Islamic
part of their Constitutions.
litions would push human
nor would for that matter
d be able to maintain its
knowledge, which is more
hiduddin Khan has been
ull import of freedom. No
go beyond moral and legal
nouncing in the name of
lecent. It would let out a
s in total disregard of their
as a right of freedom of
demonstrate the use of his
of the Red Fort by making
vahar Lal Nehru and the
lice will befittingly make
the freedom of speech by
s meant for lunatics and
stion to those who preach
ims and tell them to be
Rushdie and blasphemous
ntury. Would they be able
ous, filthy and abusive
ok, if the same is directed
laughters? Or would they
sult Jesus Christ publicly
cieties.

to the dignity of the holy
n enforcement of the
y Urdu book '*Namoos-e-*
Risalat' (Dignity of the
y of Blasphemy), I had
deas which had been
ddin and his like minded

favourites. One is just flabbergasted to imagine the swiftly changing 'U turns' taken by Wahiduddin Khan out of his overpowering fervour to support Rushdie. His hit-target is the Muslims all over the world without exception, whom he accuses of fomenting mischief and trouble for Rushdie. He writes: "The senseless agitation and protests were launched in every part of the world to bring Rushdie to book. This has prompted the West to take up the cudgels on behalf of Rushdie and girded up its loins against the Muslim world. We cannot interpret the western world's support to Salman Rushdie in terms of hostility towards Islam as Muslim leaders are thoughtlessly saying so. Rather in reality it is the defense of their own belief, as Muslims are active in defence of their own religion. Hence it is no more a fight between Muslims and Rushdie, instead Muslims versus the west have got sucked into this fight."

Wahid-dudin Khan seems to be dead to all feelings of Islamic respectability and remains placidly unconcerned if someone vituperatively attacks Islam or blasphemes the Holy Prophet of Islam. Still worse, he wants Muslims to remain silent spectators without displaying any resentment against such nuisance. He argues that the Prophet of Islam is compassionate and merciful to the entire mankind without any discrimination between believers and unbelievers. True, the Holy Prophet is a mercy for all Humanity. But what would he says about the God, who surpasses all in the display of His infinite mercy. Even He declares that those who disobeys His Prophets are destined to the torments of hell-fire?

The Maulana must have noticed that Rushdie's book has been put to severe criticism even from qualitative point of view. What is more, the criticism has come from the West itself. Renowned British critic Auberon Waugh has suggested that Rushdie should be punished for writing a type of English which is below the mark.

In the words of G.H. Jansen "The whole of the book, not just a particular chapter, is a foul mouthed cynical parody of the life of the Prophet." He further writes: "What is truly terrible is that Rushdie's unreadable value brought about a veritable Kuturkampf, a civilizational confrontation between a post-Christian West and the Muslim world. The spirit of the crusades is abroad again. And curiously enough Rushdie's insult to the Prophet is much like that of Christian writers of the medieval period...Rushdie has succeeded in only one thing—he has done immense harm to the ideals of human fraternity and of religious reconciliation."[64]

Mr. Naqi Hussain Jafri in Times of India, New Delhi March 6, 1989 writes: "Rushdie's work, I am afraid, derives it popularity more than the ill-conceived and blasphemous treatment of Mohammad rather than any literary merit. It is a matter of great concern that what offends and hurt Muslims all over the entire world should be a source of vicarious pleasure to Islam-baiters and publishers in the name of freedom of expression."

Anti-Rushdie protests of the Ummah lie indeed heavy on Wahid Khan's mind which is not attuned to Muslim destiny. He has put the Muslim Ummah and its leaders in the dock by branding the anti-Rushdie protests as unlawful and offensive. Framing charge sheet against them he says: "In the last analysis, to be certain, this mistake, rather insurrection, on the part of Muslim leaders amounted to an unpardonable crime. This crime of agitational tumult is, indeed, more grim than that of Salman Rushdie. The Muslim leaders, in an effort to send Salman Rushdie as a culprit prisoner behind the bar, have put themselves in the dock for a worse crime indeed." On the one hand Wahiduddin alleging the Muslim's crime as unpardonable gave the verdict of collective death punishment to all the leaders of Muslim Ummah and on the other hand he not

only absolved Salman Rus
him a literary hero. So he
under the royal British Un
step on the part of Muslims

Since the Maulana
had no option but to show
laws of Blasphemy and co
he gives two examples: '
statute book in Britain s
which the blasphemy of
offence. But despite the
film 'The last Temptation
Cinema which negated the

Giving an opposit
"Peter Wright is an Engli
the British Intelligence D
published his memoirs u
This book discloses the
Department. The Gover
book "Just think over
Maulana: "The country
blasphemy of relating to
the government did not
particular law. On the c
contempt of state takes
geared up for proscript
Wahid interprets this di
"What is the reason of t
that the Britain is aw
"contempt of state"
"blasphemy of Christ."

The Maulana ap
the judgment delivered
whereby a blasphemer w

ınsen "The whole of the
ıpter, is a foul mouthed
the Prophet." He further
that Rushdie's unreadable
uturkampf, a civilizational
Christian West and the
crusades is abroad again.
s insult to the Prophet is
writers of the medieval
n only one thing—he has
of human fraternity and of

ın Times of India, New
hdie's work, I am afraid,
ı the ill-conceived and
ımmad rather than any
great concern that what
the entire world should
re to Islam-baiters and
of expression."

the Ummah lie indeed
which is not attuned to
Muslim Ummah and its
anti-Rushdie protests as
ıarge sheet against them
ɒe certain, this mistake,
uslim leaders amounted
ne of agitational tumult
Salman Rushdie. The
d Salman Rushdie as a
e put themselves in the
." On the one hand
crime as unpardonable
punishment to all the
the other hand he not

only absolved Salman Rushdie of all crimes but also made him a literary hero. So he says: "Salman Rushdie is sitting under the royal British Umbrella as a result of this foolish step on the part of Muslims"

Since the Maulana claims to be Mr. Know-All, he had no option but to show a difference between the British laws of Blasphemy and contempt of the state. In this regard he gives two examples: "The Law of Blasphemy on the statute book in Britain since seventeenth century under which the blasphemy of the Jesus Christ is a punishable offence. But despite the existence of the statutory law a film 'The last Temptation of Christ' was shown in London Cinema which negated the very purpose of law."

Giving an opposite example of Britain he writes" "Peter Wright is an Englishman. He was a high official of the British Intelligence Department. After his retirement he published his memoirs under the caption "Spy Catches". This book discloses the secrets of the British Intelligence Department. The Government immediately banned the book "Just think over the comparative example" says Maulana: "The country is the same. The incident of blasphemy of relating to Jesus Christ takes place there but the government did not take notice of violation of this particular law. On the contrary when the incident of the contempt of state takes place, the government machinery geared up for proscription of the said book." Maulana Wahid interprets this difference in his own way stating: "What is the reason of this difference? The only reason is that the Britain is aware of the significance of the "contempt of state" but she doesn't bother about "blasphemy of Christ."

The Maulana appears to be miserably ignorant of the judgment delivered in the recent past in England whereby a blasphemer was convicted by the trial court and

his conviction and sentence have been maintained by the House of Lords in the year 1990.

Abstract of judgment by House of Lords of England in blasphemy case is given in the appendix "B".

Distortion of Historical Evidence:-

Leaving aside the inductive logic of historicism which transcends Wahiduddin's perverse mind, what is surprising is the fact that he has attempted to warp the historical evidence. He has referred to an obscene film made on the unblemished life of Jesus Christ in support of his secular concept of the sovereignty of state against the Islamic concept of sovereignty of God. The matter related to the said film "The last temptation of Christ" has been discussed and differentiated in Lemon's case by the House of Lords in its detailed judgment. What is worse, he has deliberately concealed the facts in order to support his secular concept of State. Let us quote his exact words: "The Muslims of today betray a strange paradox regarding Blasphemy of the Prophet. Theoretically speaking, they would say that vilification against any of the prophets is equally an offence. They believe that such a slanderer is liable to capital punishment. But practically they would burst into anger only on the contempt of their Prophet Muhammad. As for other prophets, any sort of disrespect to them won't foment a Muslim reaction."

This statement is baseless and against the objective reality. When the above-mentioned film, "The Last Temptation of Christ", was being shown in the British metropolis, the author was in London at that time. He and his colleagues launched a campaign against the screening of this film. On 2nd September 1988, we picketed in front of a cinema hall, where we were also joined by a group of Christians and Jews. World Association of Muslim Jurists gave a notice to the British Films Institute to stop the

maintained by the

of Lords of England
ix "B".

gic of historicism
se mind, what is
npted to warp the
an obscene film
hrist in support of
f state against the
The matter related
Christ" has been
ase by the House
is worse, he has
er to support his
exact words: "The
aradox regarding
y speaking, they
f the prophets is
ch a slanderer is
ally they would
of their Prophet
t of disrespect to

nst the objective
lm, "The Last
in the British
aat time. He and
st the screening
keted in front of
by a group of
Muslim Jurists
ute to stop the

exhibition of the film, otherwise the filmmaker; the cinema proprietor and the BFI would be prosecuted under the Blasphemy Law of England. Apart from my interview against this film, my articles were also published in the London-based newspaper in this regard. Consequently the king-sized posters of Christ with a prostitute were removed from the underground stations of London and the film badly flopped before any action was taken under the law of the land.

The Muslims believe that they have inherited the traditions of the Prophets of scriptures. According to the Quran there is no difference between these prophets of God, though their stature in the sight of God is determined by the importance of their mission and their achievements. Hence the Muslims cannot tolerate the insult of any prophet and they do whatever their position and circumstances allow them in this regard within the limitation of law. As mentioned earlier, Muslims were enraged on the screening of the film which offended the dignity of Jesus. If the British government did not rise up to the occasion, it had violated its own laws, but this is also incorrect in view of the judgments in Lemon's case and in case of Vingrove Vs United Kingdom in the European Court of Human Rights. Abstracts of the judgments are enclosed in the schedule of this book. What has been stated by Wahiduddin Khan is not the whole truth. The British courts had punished the blasphemer on the complaint even in the last decade of 20th century which we have already stated above.

Maulana Wahiddudin would not refrain from degrading the Muslims who instinctively love their Prophet. He condemns Qudrat Ullah Shahab for projecting the Muslim's point of view with respect to deep sense of devotion for the Holy Prophet.

Qudratullah Shahab

Qudratullah Shahab had been holding high and important positions in the Government of Pakistan and was also one of the eminent writers of the country. His autobiography *Shahabnamah* has been much admired by the literacy circles of Pakistan and India. In his autobiography he analyses the Muslim psyche of overwhelming devotion to the Holy Prophet with reference to an incident of his own childhood. He writes: "If someone speaks ill of the holy Prophet of Islam it would outrage the feelings of Muslims. This involves no discrimination of good, nominal or bad Muslims. Rather observation tells us that those who sacrificed their lives to uphold Prophetic dignity were neither apparently known for their learning, nor did they stand out in respect of piety and practise of Islamic injunctions. A common man's overwhelming fervour which he feels on Prophetic sanctity completely submerges his psychic life. It is suggesting more of devotion than belief. This devotion has taken the form of immense love for their Prophet which is beyond imagination of followers of other religions."

Wahiduddin Khan says that Qudratullah Shahab has rightly identified the national psyche of the Muslims. Yet he comments that this type of emotion and devotion on the part of Muslims are clear deviation from the right path. He declares both Qudratullah Shahab and the general Muslims as unbelievers of true faith. He writes: "The men who are living under such illusion should wait for the Day of Judgment when it would be revealed to them that it was in fact a new religion which they had fabricated". Yet Mr. Know-All Maulana has made a paradoxical proposition by sitting in judgment as final authority to announce verdict against the Muslims prior to the Doomsday that they have wandered off the right path and hence liable to punishment of the hell-fire.

Rushdie and Lady Diana

Could Wahiduddin
standard of his ideal state
regard to Rushdie whe
accidental death of Princ
Press was furious over
sexual gratification of Di
The widely circulated new
branded Rushdie's remar
Outlook", a weekly of Lo
that the same British press
verses" wherein he used
dignified personalities of
when he passed unpleas
Diana.

UNBALANCED

When one calls ci
vitally related to the spi
society in modern times,
in consonance with the ob
for the growth and promo
West has made its societ
from human affairs and sc
of science and technolog
pleasure in life. Unlike th
cohesive, holistic and
separating matter and spi
Western outlook comes i
of life. With its extrem
individualism, the secula
"freedom of thought" and
progressive step of this ag
its materialistic and capita

been holding high and
ıment of Pakistan and was
ers of the country. His
s been much admired by
tan and India. In his
he Muslim psyche of
oly Prophet with reference
od. He writes: "If someone
Islam it would outrage the
ves no discrimination of
Rather observation tells us
ives to uphold Prophetic
known for their learning,
of piety and practise of
n man's overwhelming
hetic sanctity completely
is suggesting more of
on has taken the form of
phet which is beyond
eligions."

t Qudratullah Shahab has
che of the Muslims. Yet
otion and devotion on the
n from the right path. He
and the general Muslims
rites: "The men who are
d wait for the Day of
ed to them that it was in
ad fabricated". Yet Mr.
radoxical proposition by
ity to announce verdict
oomsday that they have
nce liable to punishment

Rushdie and Lady Diana

Could Wahiduddin Khan shed light on the double standard of his ideal state of Britain and its free press in regard to Rushdie when he passed remarks on the accidental death of Princess Diana? The whole British Press was furious over Rushdie's view that excessive sexual gratification of Diana was the cause of her death. The widely circulated newspaper of Britain, "The Times", branded Rushdie's remarks as "*Satanic Nuisance*". "The Outlook", a weekly of London has very rightly commented that the same British press commended Rushdie's "*Satanic verses*" wherein he used abusive language against the dignified personalities of Islam, but condemned Rushdie when he passed unpleasant remarks against their Lady Diana.

UNBALANCED WESTERN SOCIETY

When one calls civil liberties are considered to be vitally related to the spirit of democracy and growth of society in modern times, that is good enough, because it is in consonance with the objectives of Islam. Islam is all out for the growth and promotion of human societies but the West has made its society lopsided by banishing religion from human affairs and solely depending on material gains of science and technology as sources of happiness and pleasure in life. Unlike the West, Islam lays emphasis on a cohesive, holistic and balanced view of life without separating matter and spirit from each other. It is here that Western outlook comes into conflict with the Islamic view of life. With its extremist and unhealthy emphasis on individualism, the secular order has come to take the "freedom of thought" and the "freedom of speech" as the progressive step of this age in order to maintain the hold of its materialistic and capitalist civilization over the world. It

is under this cloak the West is systematically engaged in instigating, supporting and protecting blasphemers like Rushdie and aggressive Danish cartoonist so as to undermine the foundation of Muslim societies.

Wahiduddin Khan's western mentors, as discussed in the foregoing pages of this book, mistakenly equate the expression of intellectual anarchy and unbridled passions with civil liberties. No healthy society can be built on such a morbid pattern of thinking. This is an objective lesson of history. Likewise the "noble virtue" has been wrongly interpreted by them. On the contrary what we understand as "noble virtue" from the Islamic point of view is that man should control his instinctive propensities and thoughts and deeds in order to keep discipline and order by remaining under divine rules. Such was indeed the highest virtue of life that was bestowed on humanity by the holy Prophet of Islam who is the symbol of the highest virtue in human history. Small wonder a Muslim never considers his life as well as all the things, which are most dear to him, too weighty or valuable to be sacrificed for the honour and prestige of such a unique human personality who is the very essence of faith and Deen (Religion). The philosopher poet Allama Iqbal most eloquently portrayed the distinction of a believer and an infidel foe in the following verse: "Strive to reach yourself to the noble Prophet because he is altogether living embodiment of Deen (faith). Otherwise you are on the wrong track of fire brand Abu Lahab. (Treacherous opponent of the holy Prophet)

CHA

Blasphemous Cartoons an

Freedom of expres
valuable human rights th
constitutions of almost all
have dealt with this subjec
chapter of this book: "A J
Satanic Verses".

Briffault, a westen
inspired the Declaration of
of American constitution i
ultimate inspiration and so
bear in mind that the right
other basic right is not a
directive, this important rig
principled limits of moralit
setup and civilized societie
law and constitution to n
public order. But the wes
international law and thei
sacrilegious caricatures in
freedom of press.

A Danish newspap
provocative cartoons in Sep
Prophet of Islam in abusiv
France, Germany, Italy and
Obviously it was deliber
created a widespread reser
feelings of 1.5 billion Mus
slanderous attack on the
Islam for whom the imm
Muslims is unprecedented
a great and highly provoca
to insult and humiliate the

ystematically engaged in
ecting blasphemers like
n cartoonist so as to
m societies.

rn mentors, as discussed
k, mistakenly equate the
and unbridled passions
iety can be built on such
is an objective lesson of
ue" has been wrongly
y what we understand as
oint of view is that man
nsities and thoughts and
and order by remaining
ed the highest virtue of
by the holy Prophet of
ighest virtue in human
ver considers his life as
most dear to him, too
ed for the honour and
personality who is the
igion). The philosopher
ortrayed the distinction
n the following verse:
e Prophet because he is
een (faith). Otherwise
re brand Abu Lahab.
rophet)

CHAPTER XI

Blasphemous Cartoons and Freedom of Press

Freedom of expression, no doubt, is one of the valuable human rights that have been incorporated in constitutions of almost all the countries of the world. We have dealt with this subject in some detail in the previous chapter of this book: "A Jealous Apologist for 'Rashdie's Satanic Verses".

Briffault, a western scholar says; "The Idea that inspired the Declaration of Rights that guided the framing of American constitution is not invention of the West. Its ultimate inspiration and source is Quran." But one should bear in mind that the right of freedom of expression or any other basic right is not absolute. According to Islamic directive, this important right is to be exercised within the principled limits of morality and decency. In a democratic setup and civilized societies this liberty is also restricted by law and constitution to maintain social equilibrium and public order. But the western bigots openly flouted the international law and their own laws by publication of sacrilegious caricatures in recent past in the name of freedom of press.

A Danish newspaper *Jyllands Posten* printed 12 provocative cartoons in September, 2005 depicting the holy Prophet of Islam in abusive light. Newspaper in Norway, France, Germany, Italy and Spain reprinted these cartoons. Obviously it was deliberate and premedited plot which created a widespread resentment and outraged the intense feelings of 1.5 billion Muslims across the world. This was a slanderous attack on the person of the holy Prophet of Islam for whom the immense love and reverence of the Muslims is unprecedented in the history of mankind. It was a great and highly provocative offence motivated by racism to insult and humiliate the Muslims. The authors of these

offensive caricatures and those who are guilty of abetting them clearly violated Article 129 of Universal Declaration of Human Rights. Clause 2 of the article prescribes following limitations of freedom. "In the exercise of his rights and freedoms everyone shall be subject to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedom of others and for meeting the just requirements of morality, public orders and general welfare in a democratic society". Freedom of expression cannot be exercised to erode social fabric or undermine religious dogmas of peaceful co-existence.

Disapproving the offensive cartoons, the then U.N. Secretary General Kofi Annan stressed: "Freedom of expression is never absolute. It entails responsibilities and judgment." These provocative caricatures, he said, amounts to "Pouring oil on fire". All these blasphemous cartoons were ultra vires of article 10 (2) of the Convention (Constitution) of European Court of Human Rights. It says: "The exercise of these freedoms (of human rights), since it carries with its duties and responsibilities, may be subject to such conditions and restrictions as are prescribed by law and are necessary in a democratic country for protection of morals and protection of the reputation or rights of others and for maintaining the authority and impartiality of the judiciary. It is also deemed to be a social necessity".

Interpreting this article 10 (2) of the Convention in a case about movie film on Jesus Christ, the honourable judges of European Court of Human Rights observed in Wingro Case against U.K. *(Case No. 174190 reported in 1995)* observed that the scenes shown in regard to objects of venerations in the impugned film were deeply offensive to the Christian Community. It was, therefore, held that the ban imposed by the Government of U.K. on its exhibition and sale was justified. The relevant parts of the said

judgment is given in appendix "C
authoritative judgment, there are
honourable Court of Human Rig
cases of lingens VS Austria *(NO*
Island *(No 25 of 1992)* and Ott
Austria. It is held in the above W
religious feelings of believers gu
legitimately be thought to h
provocative portrayal of objects
which can be regarded as malicio
tolerance. In an another import
Skup vs Poland 40 it is declared
positive obligation to protect min
beliefs from attack". A wider r
generally available to the contract
above judgments. In all the ab
decidendi is that freedom of exp
relation to matters liable to
convictions within sphere of m
These judgments are binding on
European Union. In addition to
the constitutional and national
Europe have also provided prote
honour to all citizens including M

The Government of Denm
racism and flagrantly violated
publication of malicious cartoon
Criminal Code forbids any perso
or insulting the dogmas of la
community. According to section
the dissemination of statements
which a group of people is
degraded on account of their relig
Despite the availability of these
through its prosecuting agency di
offender cartoonists who had

who are guilty of abetting
9 of Universal Declaration
of the article prescribes
n. "In the exercise of his
shall be subject to such
law solely for the purpose
respect for the rights and
ng the just requirements of
ral welfare in a democratic
n cannot be exercised to
ine religious dogmas of

ve cartoons, the then U.N.
n stressed: "Freedom of
entails responsibilities and
ricatures, he said, amounts
ese blasphemous cartoons
) (2) of the Convention
of Human Rights. It says:
(of human rights), since it
nsibilities, may be subject
s as are prescribed by law
c country for protection of
utation or rights of others
y and impartiality of the
a social necessity".

) (2) of the Convention in
us Christ, the honourable
uman Rights observed in
e No. 174190 reported in
hown in regard to objects
lm were deeply offensive
as, therefore, held that the
of U.K. on its exhibition
levant parts of the said

judgment is given in appendix "C" of this book. Beside this authoritative judgment, there are many other rulings of the honourable Court of Human Rights in similar blasphemy cases of lingens VS Austria *(NO 8 to 86)* Thorgeirson vs Island *(No 25 of 1992)* and Otto Preminger Institute vs Austria. It is held in the above Wingro case that respect for religious feelings of believers guaranteed by article 9 can legitimately be thought to have been violated by provocative portrayal of objects of religious veneration which can be regarded as malicious volition of the spirit of tolerance. In an another important case Dubowska and Skup vs Poland 40 it is declared that the state is under a positive obligation to protect minorities with strongly held beliefs from attack". A wider margin of appreciation is generally available to the contracting states according to the above judgments. In all the above judgments the *ratio decidendi* is that freedom of expression is not absolute in relation to matters liable to offend intimate personal convictions within sphere of moral, especially religion. These judgments are binding on all the member states of European Union. In addition to the case law cited above, the constitutional and national laws of all the states of Europe have also provided protection of life, liberty and honour to all citizens including Muslims community.

The Government of Denmark, triggered hatred and racism and flagrantly violated the law of the land by publication of malicious cartoons. Section 140 of Danish Criminal Code forbids any person from publicly ridiculing or insulting the dogmas of lawfully existing religious community. According to section 266B of the same code, the dissemination of statements or other information by which a group of people is threatened, insulted and degraded on account of their religion is a criminal offence. Despite the availability of these statutory laws the state through its prosecuting agency did not proceed against the offender cartoonists who had committed the aforesaid

offences. It was extremely surprising event that instead of taking a legal action against the offender cartoonist, Danish Prime Minister with continuous obstinacy defended the cartoonist's so called right of freedom of press. The editor of the same Danish newspaper advocating the right of free speech refused to print the anti Christ cartoons in his paper, obviously on the ground that it would offend the feelings of Christian community. Shakespeare had rightly said in 'Hamlet' that something is rotten in Denmark. However Denmark is not the only country to blame for this mischief. The entire Christian West is upholding the same disgusting double standard policy so far as Muslims are concerned. In all the above cited cases, European Court of Human Rights justified the inviolability of law of blasphemy of Christ. No one is permitted accordingly to undermine this law on the pretext of free speech or freedom of expression. Muslims wholeheartedly supported this cause as they believe an anti blasphemy law to be a Divine Law of the Bible and Qur'an. They feel aggrieved by unfairly treatment of the west refusing to extend the blasphemy law for protection of dignity of all prophets.

AAMIR CHEMA SHAHE
Martyr

Amir was the only son
Pakistan. He was brought u
Islamic discipline. After gradu
of Engineering, he proceeded
for higher education in the fi
devoted himself to his studies
any religious or political group

In the month of Februa
his studies, the Newspapers of
European countries reprinted
Danish paper Jyllands Pos
Prophet. This mischief hurt t
billion Muslims around the w
one of youth who felt aggrie
Muslims were constantly dem
editors of the papers who had
insulting caricatures and carto
his resentement and communi
sudents of the university direc
chief editor of one of the
offending the Muslims sensibi
afraid of his appearance there
police officials. The young
complaint that he trespassed t
editor and the staff of the n
unarmed without having any w

After arrest on Mar
confined in a special cell sepa
Surprisingly, all of a sudde
informed on May 3, 2006 tha
dead in his cell. This caused u
and there were strikes and pr
parts of the Muslim world. Re

rising event that instead of
offender cartoonist, Danish
is obstinacy defended the
eedom of press. The editor
advocating the right of free
Christ cartoons in his paper,
would offend the feelings of
eare had rightly said in
ten in Denmark. However
to blame for this mischief.
olding the same disgusting
Muslims are concerned. In
an Court of Human Rights
of blasphemy of Christ. No
undermine this law on the
m of expression. Muslims
use as they believe an anti
w of the Bible and Qur'an.
ly treatment of the west
my law for protection of

AAMIR CHEMA SHAHEED – A Young Muslim Martyr

Amir was the only son of Professor Nazir Ahmed of Pakistan. He was brought up in a educated family of Islamic discipline. After graduation from National College of Engineering, he proceeded to Germany in the year 2004 for higher education in the field of technology. There he devoted himself to his studies and was not associated with any religious or political group.

In the month of February 2006, during the period of his studies, the Newspapers of Germany, France and other European countries reprinted the malicious cartoons of Danish paper Jyllands Posten demonizing the Holy Prophet. This mischief hurt the feelings of more than a billion Muslims around the world. Obviously Aamir was one of youth who felt aggrieved by this grave nuisance. Muslims were constantly demanding an apology from the editors of the papers who had printed and reproduced the insulting caricatures and cartoons. Aamir in order to show his resentement and communicate the anxiety of muslim sudents of the university directly went to the office of the chief editor of one of the newspapers responsible for offending the Muslims sensibilities. The pressmen were so afraid of his appearance there that at once they called the police officials. The young boy was arrested on the complaint that he trespassed the office to attack the chief editor and the staff of the news paper, whereas he was unarmed without having any weapon of offence.

After arrest on March 20, 2006, Aamir was confined in a special cell separate from all other prisoners. Surprisingly, all of a sudden, Pakistan Embassy was informed on May 3, 2006 that Aamir detainee was found dead in his cell. This caused uproar throughout the country and there were strikes and protests in Pakistan and other parts of the Muslim world. Realizing the consequences of

this crucial event, the German officers released reports about the cause of death of Aamir which were self contradictory. According to the first report it was a suicidal act. The jugular vein was stated to have been cut by the prisoner himself. In subsequent report it was said that the suicide was committed by means of a rope having been tied round the neck. As both reports were unreliable, there was pressing demand by the hundreds of millions of Muslims citizens to take punitive action against the persons responsible for this extra judicial murder. However the Government of Pakistan constituted two member commission of F.I.A. to probe the causes of death of Aamir. The commission was required to submit the report before Senate's Functional Commission of Human Rights headed by an eminent Jurist senator and former Law Minister Mr. S.M. Zafar. The investigating team visited Berlin in the aftermath of Aamir's murder. The head of high powered commission was not allowed by the Government of Germany to have an access to the vital clues leading to the facts and record of the case. This was contrary to the assurance given by German authorities to extend their co-operation in this behalf.

According to the material and record available, the only conclusion that could be withdrawn is that it could not be a case of suicide.

Above all Aamir being deeply religious minded educated student was conscious of the fact that committing suicide is haram (Strictly forbidden) in Islam. Thus he could not have committed suicide to jump into the hell fire.

In view of the above reasons it is clearly visible that Aamir died as a martyr in Germany in the cause of protecting the honour and dignity of the Holy Prophet so he shall live in the hearts and minds of Muslims for ever and his immortal soul is destined for eternity.

INTER-FAITH DIALOGU

Pope Benedict XVI
envoys in September, 2006
Muslim world for citation o
one Byzantine emperor Mar
"the spread of Islam was by
its Prophet were inhuman".
the Christian emperor in
Magna of the university of
ignited a global Muslim rea
sober feelings with respect
for a Christian - Muslim di
can deny the importance o
that the Pope is not oblivio
language of Islam is dial
argument of sword. A Ch
O'Leary has truly said that
that Islam had spread at the

Quran has prescribe
conversations which shou
common good. The Muslin
followers of earlier revelat
we and you hold in comm
God." (3:64). So when the
Emperor (Heracalius) to ac
verse of Quran in his le
enjoined to invite the peop
and in kindly manner. Qura
unto thy Sustainer's pa
exhortation and argue w
manner." (16:125).

The stress is on ap
when inviting the peopl
immutable laws of God
compulsion for conversio

an officers released reports
of Aamir which were self
e first report it was a suicidal
ted to have been cut by the
t report it was said that the
ns of a rope having been tied
s were unreliable, there was
eds of millions of Muslims
ction against the persons
icial murder. However the
constituted two member
e the causes of death of
equired to submit the report
mmission of Human Rights
senator and former Law
investigating team visited
nir's murder. The head of
vas not allowed by the
ave an access to the vital
cord of the case. This was
by German authorities to
behalf.

l and record available, the
hdrawn is that it could not

deeply religious minded
f the fact that committing
dden) in Islam. Thus he
to jump into the hell fire.

ns it is clearly visible that
ermany in the cause of
of the Holy Prophet so he
of Muslims for ever and
ternity.

INTER-FAITH DIALOGUE WITH POPE BENEDICT

Pope Benedict XVI held a meeting with Muslim envoys in September, 2006 to defuse the anxiety of the Muslim world for citation of offensive remarks passed by one Byzantine emperor Manuel II of the 14th Century that "the spread of Islam was by sword and that the teachings of its Prophet were inhuman". Unfortunately the Pope quoted the Christian emperor in his lecture delivered in Aula Magna of the university of Regensburg in Germany, which ignited a global Muslim reaction. The Pope expressing his sober feelings with respect to Islam emphasized the need for a Christian - Muslim dialogue. Indeed no saner person can deny the importance of such a dialogue. We believe that the Pope is not oblivious to the historical fact that the language of Islam is dialogue which has replaced the argument of sword. A Christian scholar of History De O'Leary has truly said that it is fantastically absurd myth that Islam had spread at the point of sword.

Quran has prescribed the methodology for religious conversations which should be only on the point of common good. The Muslims have been ordained: "Say: O followers of earlier revelations come unto the tenet which we and you hold in common that we worship none but God." (3:64). So when the holy Prophet invited Byzantine Emperor (Heracalius) to accept Islam, he quoted the above verse of Quran in his letter of invitation. Muslims are enjoined to invite the people to the right path with wisdom and in kindly manner. Quran says: "Call thou (all mankind) unto thy Sustainer's path with wisdom and goodly exhortation and argue with them in the most kindly manner." (16:125).

The stress is on application of kindness and reason when inviting the people to surrender themselves to immutable laws of God, hence there cannot be any compulsion for conversion to Islam by use of sword

(force). Any act of violence or terrorism by some desperate individuals or by certain outlaw groups is against the peaceful teachings of Islam. However, religion is not a motivating force for such inhuman activity. Such people are found almost in all communities. Karen Armstrong, a well known historian of present times, who was once a devoted nun of Vitican writes in her widly published article 'West cannot afford to maintain age–old bias against Islam':

It is significant to note that the religious history has recorded one of the worthiest letters of Pope Gregory VII of 11th Century wherein he wrote to Andalusian ruler Al-Nasir: "Almighty God wishes that all men should be saved and not lost, approves nothing in us so much as that man after loving himself should love his fellow and that he does not want done himself, he should not do to others. *You and we owe this charity to ourselves especially because we believe in one God,* admittedly in different way and daily praise and venerate Him, the Creator of worlds and Ruler of this world."[65]

This noble letter is reflection of the message of Quran inviting the people of the book as referred to above.

The charismatic personality of Pope John Paul II, who had studied Islam with unbiased mind laid down reliable foundation for Christian-Muslim dialogue based on the spiritual and comman values of peace, liberty and social justice for authentic service to humanity.[65-A]

In the context of his invitation to Interfaith dialogue, we believe and hope that the attitude of the present Pope would be like his predecessors, one of respect for the faith which Muslims possess so that the followers of two major religions of the world may live together peacefully.

References Part II

Chapter V

1. Al-A'Raf 7: 32. The Muhammad Asad publis 1980.
2. Surah 12 Ayat 92: The n Maududi page 429, Islar
3. Ibid, page 380
4. The Glory of Muhamn International Centre Ka
5. Surah Al Ahzab 33.56 A'la Maudodi.
6. The Holy Bible, Deut page 148, American Bi
7. Faqirullah vs Khaliquz
8. Al Bukhari Kitabul Ha
9. Kanzul-Ummal-Hadith
10. Section 1 & 2 of cha published by Swefta M
11. Juristic opinion pro Khaliquzzaman case 1
12. Deuteronomy 17:12-1

Chapter VI

13. The Story of Philosop
14. New Encyclopedia Br
15. Thomas Hobbes (158
16. Locke (1632-1704 Al
17. Francois Marie Volta
18. Jean Jacques Rousse
19. The speech was deli the Oxford Centre fo October 1995.
20. Islamic Foundation
21. Surah 7:157, The Muhammad Asad P Gibraltar.
22. Surah Al-A' RAF(The Qur'an by Muh

ıce or terrorism by some desperate
ın outlaw groups is against the
lam. However, religion is not a
h inhuman activity. Such people
ommunities. Karen Armstrong, a
present times, who was once a
ites in her widly published article
maintain age–old bias against

note that the religious history has
iest letters of Pope Gregory VII
ıe wrote to Andalusian ruler Al-
hes that all men should be saved
hing in us so much as that man
love his fellow and that he does
should not do to others. *You and*
urselves especially because we
edly in different way and daily
he Creator of worlds and Ruler

reflection of the message of
the book as referred to above.

sonality of Pope John Paul II,
ith unbiased mind laid down
tian-Muslim dialogue based on
ues of peace, liberty and social
o humanity.[65-A]

his invitation to Interfaith
ıope that the attitude of the
is predecessors, one of respect
ossess so that the followers of
e world may live together

References Part II

Chapter V

1. Al-A'Raf 7: 32. The Message of The Quran by Muhammad Asad published by Dar-al-Andalus Giblartar 1980.
2. Surah 12 Ayat 92: The meaning of the Quran by Abul A'la Maududi page 429, Islamic Publications, Lahore.
3. Ibid, page 380
4. The Glory of Muhammad Page 70 published by Seerat International Centre Karachi.
5. Surah Al Ahzab 33.56. The Meaning of Quran by Abul A'la Maudodi.
6. The Holy Bible, Deuteronomy Chapter 17 verse 12,13 page 148, American Bible Society.
7. Faqirullah vs Khaliquzzaman 1999 SCMR 2203
8. Al Bukhari Kitabul Hadith page-1.
9. Kanzul-Ummal-Hadith No.12957.
10. Section 1 & 2 of chapter 23 Archbold 43 Ed page 2422 published by Swefta Maxwell (London)
11. Juristic opinion propounded by Supreme Court in Khaliquzzaman case 1994 SCMR 2203(2214)
12. Deuteronomy 17:12-13 of the Holy Bible.

Chapter VI

13. The Story of Philosophy by Will Durrant page 47.
14. New Encyclopedia Britannica Vol.8 page 1183.
15. Thomas Hobbes (1588-1679-A.D)
16. Locke (1632-1704 AD)
17. Francois Marie Voltaire 1694-1778 AD
18. Jean Jacques Rousseau (1712-1778)
19. The speech was delivered by Charles, Prince of Wales, at the Oxford Centre for Islamic studies, Oxford U.K. on 27 October 1995.
20. Islamic Foundation Newsletter 22nd September, 2003.
21. Surah 7:157, The Message of the Quran translated by Muhammad Asad Pages 226 published by Dar Al-Andalus Gibraltar.
22. Surah Al-A' RAF(7:158). Note: 125 of The Message of The Qur'an by Muhammad Asad page-226.

23. Surah 7:158, Ibid, page 227.
24. Note: 126 of Surah 7:158, Ibid page 227.
25. The Prophet's last Sermon, published by Pakistan Progressive Associate (PPA), Lahore.
26. Ibid.
27. Al-Hadees
28. Sura ANNISA – 4:1, Al-Quran by Muhammad Asad, page 100.
29. Khandan Ghulaiman, Dair-ul-Marif Islamia Vol.II.
30. Ibid.
31. Ibid.
32. Spanish Islam page 295. by Dozy
33. The Moors in Spain page 77 by Stanely Lane Poole.
34. Ibid.
35. Surah 5 Ayat 32, The Message of the Quran, page 147, by Muhammad Asad.
36. Al-Baqarah (The Cow) Ayat 190-Ibid.

Chapter VII

37. The New Encyclopaedia Britanica Vol.II page. 74-75
38. Studies in political thought & administration page 8 by Haroon Khan Shewrani.
39. Blackstone's Criminal Practice of 1995 page 653.
39-A Brief history of blasphemy pp 64-65 (New York, The Orwell Press).
39-B Blackstone's Criminal Practice of 1995 page 653. All England Law Reports 306 (318).
39-C Introduction to the Law of constitution by A.V. Diecy, page 246-7, New York St. Martin Press, 1959.
40. Corpus Juris Secundum, page 1.
40-A Del-state Vs chandler 2 Del 553.
41. State Vs Mockus 113A.39.422,120ME14ALR 371.
42. Corpus Juris Secundum, page 1.
42-A The History of God (page 229) by Karen Armstrong.
42-B Sirah of Ibn-Hisham, page 992.
43. The New Encyclopaedia Britannica page 177-178
43-A Muslim conduct of state by Dr. Hamidullah, page 201.
43-B Surah 8:60, The Message of Qur'an by Muhammad Asad.
43-C Surah 8:61, Ibid.
43-D Hadith: Kitabul Hart
44. Impact International
44-A. Clash of civilization 211-212 by Samue Edition 1997.
45. The New Encyclopa

Chapter VIII

46. Capital Cities of published by Unive
47. The New Encyclop
48. Ibid, page 149.
49. The Moors in Spai
50. The Capital Ciy of
51. Stanley Lane Pole
52. The Moors in Spa by United Limited
53. The Capital Cities
54. The Moor in Spai
55. The Capital Cities
56. Ibid
56-A. The New Encyclo
57. The Moors in Spa Limited, Lahore.
57-A The Moors in Sp Limited, Lahore.
58. Ibid page 66.
58-A Muhammad – A

Chapter IX

59. Punjab under the

Chapter X

60. Constitution of by Routledge, L
61. Ibid, page 88.
62. corpus Juris S US652.

27.
Ibid page 227.
rmon, published by Pakistan
A), Lahore.

l-Quran by Muhammad Asad,

-ul-Marif Islamia Vol.II.

Dozy
7 by Stanely Lane Poole.

age of the Quran, page 147, by

t 190-Ibid.

tanica Vol.II page. 74-75
& administration page 8 by

ce of 1995 page 653.
pp 64-65 (New York, The

tice of 1995 page 653. All
8).
constitution by A.V. Diecy,
rtin Press, 1959.
1.
53.
,120ME14ALR 371.
1.
by Karen Armstrong.

nica page 177-178
Hamidullah, page 201.
r'an by Muhammad Asad.

43-D Hadith: Kitabul Harb.
44. Impact International Dec. 2003.
44-A. Clash of civilization and the remaking of world order, page 211-212 by Samuel P. Huntington. Touchstone Book Edition 1997.
45. The New Encyclopaedia Britannica Vol. 5 page 310.

Chapter VIII

46. Capital Cities of Islam page 155 by Philip K. Hatti published by University of Munneota Press, Munneapolis.
47. The New Encyclopedia Britannica Vol. 9 page 148.
48. Ibid, page 149.
49. The Moors in Spain by Lane Pole page 68.
50. The Capital Ciy of Islam, by Philip K. Hitti page 154.
51. Stanley Lane Pole in his preface, the Moors in Spain.
52. The Moors in Spain (page 91) by Stanley Pole, published by United Limited, Lahore.
53. The Capital Cities of Islam by Philip K. Hitti page-155.
54. The Moor in Spain, Lane Pole page 92.
55. The Capital Cities of Islam by Philip K. Hitti page-155.
56. Ibid
56-A. The New Encyclopaedia Britanica, Vol 9, page 147.
57. The Moors in Spain, by Stanley Pole, published by United Limited, Lahore. page 53.
57-A The Moors in Spain, by Stanley Pole, published by United Limited, Lahore. page 68.
58. Ibid page 66.
58-A Muhammad – A Biography of the Prophet, page 22.

Chapter IX

59. Punjab under the later Mughal by Dr. BS Najjar, page 279.

Chapter X

60. Constitution of the World by Robert L. Maddex, published by Routledge, London, page 83.
61. Ibid, page 88.
62. corpus Juris Secundum, Vol. XI, pages 359-360: 286 US652.

63. A. V. Diecy, Introduction to the law of constitution, Macmillan & Co. Ltd. New York, 1959, p.xxv.
64. The times of India, New Dehli, March 9, 1989.

Chapter XI

65. Christianity and Islam. Reflections on Recent Teachings of the Church by Rev. Thomas Michel, S.J. page 11-12.
65-A. Ibid page 23.

PA

ANCIENT AN
ULEMA'S S
REGARDIN

on to the law of constitution,
w York, 1959, p.xxv.
)ehli, March 9, 1989.

flections on Recent Teachings of
as Michel, S.J. page 11-12.

PART 3

ANCIENT AND 20TH CENTURY ULEMA'S STAND POINT REGARDING BLASPHEMY

CHAPTER XII

Ancient Ulema's (Muslim Scholars') Research Regarding Blasphemy

Abu-al Fadhl Qadhi Ayadh distinctively stands among the medieval Ulema of Andalus (Spain). Born in 496 A.H. in the city of Morocco, but passion for higher education took him to Andulus which was Europe's centre of learning science and art in those days. Apart from Hadith, he made an in-depth study of exegesis, Islamic fiqh (jurisprudence), literature, syntax, genealogies and contemporary sciences under the guidance of learned teachers. He belonged to the Maliki school of thought but was a man of wide vision with a vast intellectual horizon. In addition, he was an acknowledged poet of Arabic, speaker and author of several classical books. Above all, he had a loving heart for the holy Prophet of God. "*Ash-shifa ba-tareof ul haqooqul Mustafa*", his historic book on the holy Prophet, is a testimony to the same devotional sentiment with research being an inextricable feature of his intellectual life. In 531 A.H. he became the Chief Justice of Granada, the Andalusian metropolis. The later seerat writers have benefited themselves from this book with regard to the Prophet's dignity, stature and excellence and also that which comes under the head of blasphemy. We reproduce some of the important passages from his book.

In the chapter on Blasphemy he says:

"A person who abuses the holy Prophet (God Forbid); or slanders him or attributes any imperfection to him); or ascribes any defect to his person or ancestry or religion or any of his habits; or insolently compares him to anything; or calls him deficient; or lowers his position or speaks ill of anything concerning him, it means that he calls the Prophet by ill name. Such a person comes under the law of blasphemy and is liable to punishment of death sentence,

which would be unquestiona
the Holy Prophet."

Similar is the case o
holy Prophet; or invokes a n
him ill; or ascribe to him sc
the design to slander or do
make him look small; or d
belittle him on the basis
forbidden by law. There ha
opinion of the companions
with the ability to exercise
punishment of blasphemy is

Caliph Abu Bakr is
blasphemer should be put
such a person is unaccepta
of all eminent jurists. Ima
and his associates, besides
same view. However, some
of apostasy" (conversion fr
blasphemer becomes an a
his associates are quoted a
faults with the holy Prop
differs whether such a ren
or declared as an unbeli
subjected to execution or s
Islam. However, there is
such a person (blasphemer
of the old ages and ulem
unanimous on this poin
difference of opinion
excommunication of su
including Abu Mohamma
that they have reservations
blasphemer. But it is wi
Sehnoon that: "All Ulem

XII

cholars') Research
phemy

dh distinctively stands
ndalus (Spain). Born in
but passion for higher
ich was Europe's centre
ıose days. Apart from
of exegesis, Islamic fiqh
ax, genealogies and
guidance of learned
i school of thought but
ast intellectual horizon.
dged poet of Arabic,
al books. Above all, he
het of God. "*Ash-shifa*
s historic book on the
the same devotional
xtricable feature of his
ne the Chief Justice of
lis. The later seerat
from this book with
re and excellence and
ıd of blasphemy. We
ıges from his book.

holy Prophet (God
any imperfection to
erson or ancestry or
ıtly compares him to
wers his position or
t means that he calls
comes under the law
ıt of death sentence,

which would be unquestionably awarded to one who abuses the Holy Prophet."

Similar is the case of an individual, who curses the holy Prophet; or invokes a malediction upon him; or wishes him ill; or ascribe to him something unworthy of him with the design to slander or do him evil, or talks in a way to make him look small; or defames or speaks ill of him or belittle him on the basis of his hardships in lifetime, is forbidden by law. There has been an all-time consensus of opinion of the companions of the holy Prophet and Ulema with the ability to exercise legal reasoning (Ijtehad) that the punishment of blasphemy is death.

Caliph Abu Bakr is of the firm opinion that such a blasphemer should be put to death and the repentance of such a person is unacceptable. This is established opinion of all eminent jurists. Imam Abu Hanifah, the great jurist and his associates, besides Auzaie and Kufians are of the same view. However, some authorities say that "it is an act of apostasy" (conversion from Islam to other religion). So a blasphemer becomes an apostate. Imam Abu Hanifa, and his associates are quoted as declaring that whosoever finds faults with the holy Prophet, is a blasphemer. Opinion differs whether such a renegade should be urged to repent or declared as an unbeliever, or whether he should be subjected to execution or simply excluded from the fold of Islam. However, there is no difference on this matter that such a person (blasphemer) shall be executed. The Ummah of the old ages and ulema all over the Islamic world are unanimous on this point. Some say that there is no difference of opinion about the execution and excommunication of such a person. Whereas others, including Abu Mohammad Ali bin Ahmad Al-Farsi, say that they have reservations about the excommunication of a blasphemer. But it is widely believed with reference to Sehnoon that: "All Ulema of the Ummah are unanimous

that a blasphemer of the holy Prophet or one who finds faults with him is an unbeliever and liable to punishment of death. They believe that he must be executed. And a person who doubts whether a blasphemer is an apostate, himself is an apostate.

Punishment for blasphemy

Ibn al-Qasim writes in his book Eittah: "Execution is the punishment of a person who abuses the holy Prophet or slanders him or finds faults with him. In the considered opinion of the entire Ummah that a blasphemer is like an apostate and is liable to death punishment because respect of the holy Prophet has been made obligatory by Allah."

Imam Ahmad Bin Ibrahim quotes Imam Malik as saying: "If a person, whether believer or unbeliever, abuses the Prophet of Islam or any other Prophet, he must be put to the sword without accepting his repentance." Abdullah bin Abdul Hakam also says: "If a person, whether believer or unbeliever abuses the Prophet, he must be executed rejecting his repentance."

The majority of Ulema are also unanimous: "That a blasphemer must be executed without giving him an opportunity of repentance if he imprecates curses or evil upon any of the Prophets".

There is an edict of executing a person who says about the holy Prophet: "He was a load-carrier, or he was an orphan nephew of Abu Talib", because by this he intends to insult the holy Prophet. This is the opinion of Abu al-Hasan Qasibi.

A man heard some people talking about the appearance of the holy Prophet. Just at that moment an ugly and odious person passed them. That man said to them, "Do you want to see the Prophet? They replied, "Yes". Pointing to the ill-looking dishevelled and bearded man he

said, "The Prophet was exactly
Zaid al-Qayravani said, "Rep
person must not be accepted."
him! He lied whatever he said
faith could utter such a thing
(edict) for his execution.

The Andalusian jurists
for the execution of Ibn Hati
declamation shown disrespect
had expressed his opinion th
was not self-willed; rather if
luxuries, he would have broug

The Qayrvan jurists an
a fatwa (juridical verdict) f
Fazari. He was a poet wit
branches of literature. A cha
that he had shown disrespec
His Prophets and the holy P
produced before the court of
many eminent jurists were
death punishment to the
accordingly.

Habib bin Rabi Farvi
pupils hold this view: "If any
with the holy Prophet, he
accepting his repentance."

Ibn Ataab says: "T
Sunnah that a man must be
indirectly, explicitly or impli
small, to the holy Prophet."
have considered all such thi
holy Prophet. They believe
blasphemer must be put to
punishment for such a heinou

said, "The Prophet was exactly like him". Abu Muhammad Zaid al-Qayravani said, "Repentance of such a wicked person must not be accepted." The curse of Allah be upon him! He lied whatever he said. No man with a wholesome faith could utter such a thing. Al-Qayrvani gave a fatwa (edict) for his execution.

The Andalusian jurists unanimously issued a fatwa for the execution of Ibn Hatim Taleeli who had during a declamation shown disrespect towards the Holy Prophet He had expressed his opinion that the Prophet's temperance was not self-willed; rather if he had been given worldly luxuries, he would have brought them under his use.

The Qayrvan jurists and Sehnoon's pupils had given a fatwa (juridical verdict) for the execution of Ibrahim Fazari. He was a poet with a command over several branches of literature. A charge was framed against him that he had shown disrespect in his poetry towards God, His Prophets and the holy Prophet. He was arrested and produced before the court of Qadhi Yahya bin Umar where many eminent jurists were present. The Qadhi awarded death punishment to the culprit and he was hanged accordingly.

Habib bin Rabi Farvi as well as Imam Malik and his pupils hold this view: "If anybody finds any sorts of faults with the holy Prophet, he should be executed without accepting his repentance."

Ibn Ataab says: "This is rooted in Quran and Sunnah that a man must be put to death if he, directly or indirectly, explicitly or implicitly, ascribes a fault, though small, to the holy Prophet." Because the Ulema of all ages have considered all such things as blasphemy against the holy Prophet. They believe and announced fatawa that a blasphemer must be put to the sword, which is the only punishment for such a heinous crime.

Unacceptability of Penitence

Imam Malik, his associates and ulema of early phases of Islam believe that a penalty should be declared against the ribald and impertinent person for slandering the holy Prophet. He should be put to death, not for his unbelief but as punishment for breaking the law prescribed for blesphemy. He may have repented but in such a delicate matter his repentance would be unacceptable, and the matter of his repentance may be acceptable to the God.

One who is disrespectful to the holy Prophet has a different case because it also involves perpetual personal right of the Prophet. Let us try to understand this point in this way that somebody murdered or slandered someone at the time of turning apostate. To be sure, his repentance for committing the crime of apostasy cannot exonerate him from the penalty of murder and slander.

It may be noted here that acceptance of the offender's repentance cannot invalidate the penalties incurred by crimes like theft and murder. Now if a person comes under the penalty of insolence and slandering with regard to the holy Prophet, it is not on account of his unbelief. Instead it is for this reason that he has tried to dilute the dignity and sacredness of the Prophet and that is why his repentance cannot exonerate him from the penalty prescribed by law.

Sheikh Abu al-Hasan Qabisi a prominent scholar is of the view that even if a blasphemer reverts to the faith by confessing his crime and his repentance is manifested too, even then he would be punished for the offence of blasphemy. Because execution alone is the punishment of this crime. However Abu Mohammad bin Zaid thinks that his punishment is beyond any doubt. Yet since his repentance is a matter between him and God, it may therefore bring him benefit hereafter.

SHEIKH-UL-ISLAM IM

The learned people
Sheik-ul-Islam Imam Ibn
prestigious is his place in th
disciplines, projection and
steadfastness and revival of
yet to parallel him even
centuries.

Allama Shibli Num
the all-embracing persona
"Countless have been uler
and statesmen in Islam
Mujaddid"

There are three
(revivalist): -

(1) He should have
revolution in religio

(2) The basis of his thi

(3) He should have un
and risk of his life.

If the third conditi
Imam Abu Hanifah, Imar
Waliullah would have bee
true to reality, only Iman
be called Mujaddid (reviv

Ibn-e-Taymiyah w
love of the holy Prophet
grimness of ribaldry agai
intellectual and physical
society. This is evidenc
blasphemy. It lays bare
contrasted with the uniq
Islam in social, historica

ciates and ulema of early
penalty should be declared
nt person for slandering the
put to death, not for his
breaking the law prescribed
ented but in such a delicate
be unacceptable, and the
acceptable to the God.

to the holy Prophet has a
nvolves perpetual personal
to understand this point in
d or slandered someone at
be sure, his repentance for
sy cannot exonerate him
ander.

that acceptance of the
invalidate the penalties
murder. Now if a person
ence and slandering with
s not on account of his
ason that he has tried to
of the Prophet and that is
ate him from the penalty

si a prominent scholar is
er reverts to the faith by
tance is manifested too,
ed for the offence of
ne is the punishment of
nad bin Zaid thinks that
doubt. Yet since his
him and God, it may
.

SHEIKH-UL-ISLAM IMAM IBN-E-TAYMIYAH

The learned people hardly need introduction of Sheik-ul-Islam Imam Ibn-e-Taymiyah. So lofty and prestigious is his place in the domain of learning, religious disciplines, projection and practise of Islamic principles, steadfastness and revival of religious thought that one has yet to parallel him even after the passage of seven centuries.

Allama Shibli Numani has rightly observed about the all-embracing personality of Imam Ibn Taymiyah: "Countless have been ulema, savants, rationalists, jurists and statesmen in Islam but there are hardly a few Mujaddid"

There are three pre requisites for a Mujaddid (revivalist): -

(1) He should have introduced a dynamic healthy revolution in religion, learning or politics,

(2) The basis of his thinking should be nonconformity,

(3) He should have undergone miseries and tribulations and risk of his life.

If the third condition is not considered as binding, Imam Abu Hanifah, Imam Ghazali, Imam Razi and Shah Waliullah would have been deemed as revivalists. But to be true to reality, only Imam Ibn-e-Taymiyah can befittingly be called Mujaddid (revivalist) of Islam.

Ibn-e-Taymiyah was so overpowered by the intense love of the holy Prophet that he vehemently exposed the grimness of ribaldry against the Prophet and exerted all his intellectual and physical energies to wipe it out from the society. This is evidenced from his valuable book on blasphemy. It lays bare all evil and anti-human sides contrasted with the unique stature of the Holy Prophet of Islam in social, historical and religious perspective. In the

following pages the reader would find to his interest the abbreviated version of some of the chapters from his famous book "*As Saram-al-Maslool Ala Shatim ur Rasool*" (A hanging sword over the blasphemer).

Justification for blasphemer's punishment

All prophets sent by Allah for the guidance of humanity were free from defects and blemishes of all manners. The noble and the Last Prophet is comparatively the greatest one and his Prophethood is for the entire humanity and for all times to come. Whether someone believes him or not it may not transcend his prophethood. As an embodiment of excellence and the sublime virtues and qualities of heart and soul, he is the dearest and the most elevated and respected in the sight of Allah and his followers. So one who shows the slightest disrespect to such a unique figure not only ceases to be a Muslim but is also relegated from humanity to the lowest ebb.

Quoting the Book of Allah, Ibn-e-Taymiyah says that to show (hateful) animosity and hostility to the Prophet is to cause distress to him, and for this wicked doing one would be definitely subjected to eternal hellfire and tortures.

If anyone, so goes a Prophetic saying, took to ribaldry and slander against the Prophet, he would ask (addressing his companions): "Who would suffice my enemy for me?" (That is, who would finish my enemy opposing the cause of humanity)"?

First there is a warning in the holy Quran for such opponents:

"Surely the most abject of the creatures are those who resist Allah and his Messenger. Allah has written down: 'I and My Messengers shall certainly prevail'[1]

Explanation: The natio
(Messengers) message and a
teachings, were ultimately doo

Ibn-e-Taymiyah says
insolence to the Prophet, may
would be executed. All religi
point that repentense of blasp
support of his contention, he
fiqh:

"Imam Ahmad bin Ha
says that a person, whether
be subjected to execution, if
holy Prophet. Tradition tell
killed a woman who would
Abdullah Ibne Umar too h
impudence to the Prophet wo

Umar bin Abdul Azi
the holy Prophet would be
apostate, and a Muslim can
against the Prophet. If he do
Muslim. Abdullah Bin Uma
(Umar) about a person who
whether he would be aske
(Syedna Umar) said, "his ex
won't be asked for repenta
man to the sword without d
he insulted the holy Prophet

Syedna Ali has been
woman used to rail at the
her throat till she died. The
gone to waste.

Syedna Abu Bakr
nobody is supposed to kill a
the execution of the

d find to his interest the
the chapters from his
ol Ala Shatim ur Rasool"
emer).

unishment

lah for the guidance of
ts and blemishes of all
Prophet is comparatively
ethood is for the entire
ome. Whether someone
nscend his prophethood.
and the sublime virtues
e is the dearest and the
e sight of Allah and his
e slightest disrespect to
es to be a Muslim but is
lowest ebb.

h, Ibn-e-Taymiyah says
l hostility to the Prophet
this wicked doing one
o eternal hellfire and

phetic saying, took to
Prophet, he would ask
ho would suffice my
ould finish my enemy

ıe holy Quran for such

the creatures are those
ger. Allah has written
ertainly prevail'[1]

Explanation: The nations which did not accept their (Messengers) message and adopt a way contrary to their teachings, were ultimately doomed to destruction.[2]

Ibn-e-Taymiyah says that a person showing insolence to the Prophet, may be a believer or disbeliever, would be executed. All religious authorities agreed on this point that repentense of blasphemer will not be accepted. In support of his contention, he quotes the learned doctors of fiqh:

"Imam Ahmad bin Hambal, quoting Abu Abdullah, says that a person, whether believer or unbeliever, would be subjected to execution, if he slandered or spoke ill of the holy Prophet. Tradition tells us that a blind companion killed a woman who would speak ill of the holy Prophet. Abdullah Ibne Umar too has said that one who shows impudence to the Prophet would be executed."

Umar bin Abdul Aziz has said that one who insults the holy Prophet would be put to the sword for being an apostate, and a Muslim can never use abusive language against the Prophet. If he does so, he would be no more a Muslim. Abdullah Bin Umar has said "I asked my father (Umar) about a person who blasphemes the holy Prophet whether he would be asked to show remorse for". He (Syedna Umar) said, "his execution is unavoidable and he won't be asked for repentance". Khalid bin Valid, put a man to the sword without demanding for repentance when he insulted the holy Prophet in his presence.

Syedna Ali has been reported as saying "A Jewish woman used to rail at the holy Prophet. A man strangled her throat till she died. The holy Prophet said her blood had gone to waste.

Syedna Abu Bakr has said; "After the Prophet, nobody is supposed to kill anybody for his own insult." Yet the execution of the Prophet's blasphemer is not

conditioned by space and time – it would stand as a permanent rule, regardless of his belief or unbelief.

Imam Ibn-e-Tamayah refers to a ruling of the holy Prophet of God with regard to the execution of blasphemer. Ka'b Bin Ashraf was a prominent and influential Jewish leader of Madina. When he heard that the Quresh had been defeated at Badr, he joined Quresh in Makkah and began to revile and insult the Prophet. After spending sometime there in Makkah, Ka'ab returned to Madina. There, too, he used to hurt the holy Prophet and his companions. The holy Prophet asked his companions "who among you execute my order for Ka'ab's death? who has evoked the wrath of Allah by reviling and hurting his Prophet ". This order of the holy Prophet was carried out by Muslama and Abu Nai'la. Similarly the Prophet had ordered the killing of persons who reviled or lampooned him.

What is authentic and authoritative report about the execution issue regarding the Prophet's blasphemer is the following saying of Syedna Umar:

"One who abused Allah or any of His Prophets must be put to the sword." So Caliph Umar specially issued order of killing of contemner of the Holy Prophet.

Ibn-e-Abbas says: "If a person is living in a Muslim state as Ma'hid under the covenant with the Muslim state turns to be contumacious and abuses Allah and any of His Prophets, and does so overtly, it means he has broken the agreement. So he must be put to death."

Caliph Abu Bakr wrote Al Mahajir about a woman who had reviled at the Holy Prophet: "If that were not the thing which you have already done about that woman, I would have ordered you to kill her, because the Hadood which is imposed on account of the Prophet's blasphemy is not like ordinary Hadd. If a Muslim does so he would turn

apostate, and if a person, wh
blasphemes he is a combatant

"A man who breaks
Prophet names, his position
disbeliever. And if that man
with us by teasing Allah
exemplary punishment must
from the following Quranic ve
oaths after their covenant, an
the chief of unfaith; for thei
that thus may be restrained."[3]

Here believers are co
war on those unbelievers w
being sucked into a persecu
Prophet and his followers.
instructions that hurting the
crime, worse than waging
Quran: "Fight against them!
your hands, and will bring
scour you against them and
those who believe and will re
hearts."[4]

According to Imam
directive has two-dimensio
specific. When a Dhimmi (No
launches a blasphemous camp
a two-fold result would flow

(i) Our agreement with
intact.

(ii) Such a man causes an
the Holy Prophet an
root of faith (Deen
Prophet. This is som

– it would stand as a
elief or unbelief.

rs to a ruling of the holy
execution of blasphemer.
nt and influential Jewish
that the Quresh had been
in Makkah and began to
fter spending sometime
o Madina. There, too, he
is companions. The holy
who among you execute
has evoked the wrath of
Prophet ". This order of
t by Muslama and Abu
d ordered the killing of
him.

oritative report about the
phet's blasphemer is the

or any of His Prophets
Caliph Umar specially
r of the Holy Prophet.

son is living in a Muslim
nt with the Muslim state
ses Allah and any of His
neans he has broken the
ath."

Mahajir about a woman
net: "If that were not the
ne about that woman, I
ner, because the Hadood
e Prophet's blasphemy is
m does so he would turn

apostate, and if a person, who is a party to the covenant blasphemes he is a combatant and a covenant breaker."

"A man who breaks the covenant by calling the Prophet names, his position is worse than the combatant disbeliever. And if that man backed out of the covenant with us by teasing Allah and His Holy Prophet, an exemplary punishment must be his fate. This is born out from the following Quranic verse: "But if they violate their oaths after their covenant, and attack your Faith, fight ye the chief of unfaith; for their oaths, are nothing to them: that thus may be restrained."[3]

Here believers are commanded by Allah to wage war on those unbelievers who violate their pledges by being sucked into a persecuting mania against the holy Prophet and his followers. We have a clear Divine instructions that hurting the Prophet's soul is heinous crime, worse than waging war against him as says the Quran: "Fight against them! God will chastise them by your hands, and will bring disgrace upon them; and will scour you against them and He will soothes the bosoms of those who believe and will remove the wrath that is in their hearts."[4]

According to Imam Ibn-e-Tamayah the divine directive has two-dimensional form, both general and specific. When a Dhimmi (Non-Muslim minority tax payer) launches a blasphemous campaign against the holy Prophet, a two-fold result would flow from it:-

(i) Our agreement with him would no more remain intact.

(ii) Such a man causes annoyance to Allah, His Apostle the Holy Prophet and believers. He strikes at the root of faith (Deen) by blaspheming the holy Prophet. This is something worse than his act of

scuttling the peace agreement and his position would be like a combatant.

One form of breach of agreement is this that a disbeliever commits adultery with a Muslim woman or robs away the belongings of Muslims by murdering them. In such a case his pledge-breaking offence will take on a more ugly and heinous form. Because adultery or dacoity or murder is in itself a crime, but the violation of an accord is a separate crime too. Similarly, speaking ill of the Prophet of God is in itself a crime apart from that of infringing an agreement. Specific to it is a punishment given in this world and hereafter punishment is different from that which is incurred by maligning prophetic mission.

Wiping out Blasphemy Indispensable

In the light of the foregoing authoritative views of Imam Ibn-e-Taymiyah one can clearly see that the removal of irritants obstructing the way of peace, harmony and social cohesion is indispensable to any state or government. The enormous one is that which spawns moral chaos and creates unnatural gaps between human beings. Promoting the religious argument—religion is hardly bereft of its social and political dimension—we would say that no class of human society must be a safe heaven for criminals. Doubtless the blasphemers, if seen in a psychological perspective, are the more dangerous criminals, than even the terrorists. Quite logically, if any state which sponsors or connives at the blasphemous pursuits of malefactors, it manifestly breaks international law. Every state, especially the Islamic state, is under obligation to punish blasphemers. Surely, the Muslims are not supposed to force disbelievers to accept the Islamic doctrine. They are entitled to live in an Islamic state as law-abiding citizens. Yet they cannot be allowed to do anything repugnant to the law of the land, still less the Blasphemy Law which is directly related to the Muslim sensitivity.

The execution of a bl
not be because of his disbelief
Hadood. As mentioned ear
transcends even disbelief an
holy Prophet as well as his
execution of such person; wh
for disbelief and murder.
directions are clear: "The Ha
other Hadood."

In a Islamic state ope
ill names is the worst type
matching punishment is th
recurrence as has been
example and the collective t

There is only one i
Ibn-e-Sarh, who was ord
blasphemy. Syedna Usman
day of conquest of Makkah
the requests of Syedna
repeatedly. However, he w
while, whereafter he ask
sitting around him: "w
blasphemer Abdullah Ibn-
grant pardon to him." The
is that the followers of the
the blasphemer, of course
a jurisprudential authori
situation became more gr
person who is insolent to
put to death without a der
with Quran and Sunnah
Muslim, without giving
when he approached hin
holy Prophet who had d
rejecting the unjust claim

ement and his position

agreement is this that a
a Muslim woman or robs
by murdering them. In
fence will take on a more
adultery or dacoity or
violation of an accord is
eaking ill of the Prophet
om that of infringing an
unishment given in this
different from that which
mission.

able

g authoritative views of
rly see that the removal
of peace, harmony and
ny state or government.
pawns moral chaos and
man beings. Promoting
is hardly bereft of its
would say that no class
heaven for criminals.
en in a psychological
s criminals, than even
state which sponsors or
uits of malefactors, it
Every state, especially
to punish blasphemers.
d to force disbelievers
are entitled to live in
ns. Yet they cannot be
the law of the land,
directly related to the

The execution of a blasphemer, if disbeliever, will not be because of his disbelief but in compliance of Shariah Hadood. As mentioned earlier, it is such a crime as transcends even disbelief and the crime of murder. The holy Prophet as well as his companions had ordered the execution of such person; whereas it is not the punishment for disbelief and murder. To this Caliph Abu Bakr's directions are clear: "The Hadood of the Prophet are unlike other Hadood."

In a Islamic state openly calling the holy Prophet by ill names is the worst type of wickedness and crime, a matching punishment is the prerequisite of checking its recurrence as has been established by the Prophetic example and the collective theological opinion.

There is only one instance of pardon to Abdullah Ibn-e-Sarh, who was ordered to be killed for act of blasphemy. Syedna Usman begged pardon for him on the day of conquest of Makkah. The prophet of Allah declined the requests of Syedna Usman who made appeal repeatedly. However, he was pardoned after waiting for a while, whereafter he asked his companions who were sitting around him: "why had not they killed the blasphemer Abdullah Ibn-e-Sarh when he had refused to grant pardon to him." The logical conclusion of this event is that the followers of the holy Prophet are required to kill the blasphemer, of course, in compliance with the order of a jurisprudential authority. Yet after his demise the situation became more grave and serious. To condemn a person who is insolent to the holy Prophet of God would be put to death without a demand for repentance inaccordance with Quran and Sunnah. Syedna Umar had murdered a Muslim, without giving him an opportunity of hearing when he approached him to reverse the judgment of the holy Prophet who had decided a case in favour of a Jew rejecting the unjust claim of the so-called Muslim.

CHAPTER XIII

Twentieth Century Ulema's (Muslim Scholars) Standpoint

In the last century, poet-philosopher Allama Iqbal, Maulana Abu-ul-Kalam Azad, and Maulana Syed Abul A'la Maududi were the epoch-making luminaries of Islam. They repudiated the irreligious arguments of modern Europe and orientlists with their deep insight and vast knowledge and wisdom. They brought about the Islamic renaissance. One may differ with their political approach but their wide vision and intellectual integrity are beyond any shadow of doubt. I am at one with Allama Iqbal and Maulana Azad by my heart and soul, but I have the privilege to be enlightened by Maulan Maududi's thought and epoch making approach to the socio-religious movement of our present times through my personal contact and frequent meetings with him. The total and overwhelming commitment to the Prophet was indeed the fascinating aspect of their character which drew one into the intellectual orbit of these personalities. Here is an article by Maulana Maududi that reflects his frame of thought and sense of commitment. The historical significance of this article lies in the fact that it had been written in 1927 when Justice Daleep Singh of the Lahore High Court had exonerated the ignoble Raj Pal from the charge of ribaldry towards the holy Prophet. The article, though brief, is comprehensive and covers all the fundamental points.

BLASPHEMY LAW OF TH

Maulana Syed Ab

What accurately reflec
regarding the sanctity of the Pro
death is the punishment for tha
Prophet, so a person who cause
not liable to be punished i
contemner. Abu Buradha Al
Nisai in many ways:

"Caliph Abu Bakr
resentment towards a man
speaking in an open me
permission from the Caliph
hearing it his anger cooled
enjoys this privilege after th
beheaded for insulting him."

In another Hadith Ib
saying that in Madinah the
bondmaid spoke ill of the
killed her with a dagger. Th
of her murder reached the
man who has done this thin
blind man came trembling
Prophet of Allah! I have
bondmaid. She was kind to
forbade her but she never
all fall flat upon her. Last
of you. Thereupon I rose t
belly." After hearing this
people should stand witn
was of no value. (The n
Diyat 'blood money')"[6]

Similarly the inci
has been mentioned in

uslim Scholars)

opher Allama Iqbal,
Maulana Syed Abul
luminaries of Islam.
uments of modern
p insight and vast
t about the Islamic
r political approach
ntegrity are beyond
n Allama Iqbal and
l, but I have the
Maududi's thought
ne socio-religious
ugh my personal
m. The total and
et was indeed the
ch drew one into
ities. Here is an
cts his frame of
The historical
that it had been
gh of the Lahore
Raj Pal from the
het. The article,
covers all the

BLASPHEMY LAW OF THE HOLY PROPHET

Maulana Syed Abul A'la Maududi

What accurately reflects the Muslim feelings regarding the sanctity of the Prophet is the fact that in Islam death is the punishment for that man who speaks ill of the Prophet, so a person who causes the death of blasphemer is not liable to be punished if he proves the guilt of contemner. Abu Buradha Al Aslami has been quoted in Nisai in many ways:

"Caliph Abu Bakr Siddiq was showing his resentment towards a man. who insulted him while speaking in an open meeting. Abu Bardha sought permission from the Caliph to kill the contemner. On hearing it his anger cooled down. He remarked: No man enjoys this privilege after the Prophet that one should be beheaded for insulting him."

In another Hadith Ibn Abbas has been reported as saying that in Madinah there was a blind Muslim whose bondmaid spoke ill of the Holy Prophet and her master killed her with a dagger. The following day when the news of her murder reached the Prophet he said: "I adjure the man who has done this thing to stand by" On hearing it, the blind man came trembling before the Prophet and said: "O Prophet of Allah! I have done this thing. She was my bondmaid. She was kind to me. She had spoken ill of you. I forbade her but she never came round. If I rebuked her, it all fall flat upon her. Last night she was again speaking ill of you. Thereupon I rose to my feet, pierced a knife into her belly." After hearing this the Prophet of Allah said: "All people should stand witness that the blood of that woman was of no value. (The murderer is not liable to Qisas or Diyat 'blood money')"[6]

Similarly the incident of Ka'b bin Asrhraf's murder has been mentioned in Kitab-ul-Maghazi of Bukhari. He

would malign the Prophet by lampooning him and instigating the Quraysh against him. The holy Prophet therefore got him killed through Mohammad Ibn Salmah. Abu Daud had given the following reason with regard to the murder of Ka'b bin Ashraf: "He used to lampoon the Prophet and instigate the feelings of the Quraysh against him .[7]

Ibn Sa'd, too, has given the same reason for his murder:

Explicit rules and commands have been given in fiqh books regarding punishment for blasphemy of the holy Prophet. Jurists may have difference of opinion with regard to execution but all are at one on the dignity, sanctity and greatness of the Prophet and in their collective opinion they have unanimously declared that one who blasphemes the Prophet must be put to death. This highlights the feelings of the Ummah in respect of this sensitive issue and no one can be allowed to change this established law of Islam.

FATWA OF GRAND MUFTI OF SAUDI ARABIA

Grand Mufti of Saudi Arabia, Samahat-ush-Sheikh Abdul Aziz bin Baz was a distinguished personality of the Muslim world. He issued a fatwa (decree) with reference to the Holy Quran, Ahadith and consensus of opinion of the Ulema of the past centuries that the only punishment prescribed for the blasphemer is death.

The author has the privilege of many meetings with this religious authority in Makkah-al-Mukaramah in 1986, when Dr. Luqman a brilliant scholar was his secretary. This fatwa was issued on the request of the author.

MAULANA AHMAD SAEE

The late Maulana Ah
eminent theologian, jurist ar
discussed with him in detail th
in Pakistan. He had a clear-
about the punishment of blas
writes:

"Looking into the
Ummah's consensus and the
doubt and we are sure that de
who blasphemes the Prophet
by reviling the holy Prophe
punishment of death. The
because they have opposed
opposes Allah and His Mes
for him in retribution. This
it now: you should also kn
hellfire for those who deny t

The Divine comma
and contemnors is that by
they have blasphemed and
Quran frequently spells out
outright act of waging wa
Muslim becomes an apost
faith and an apostate simp
described in the Holy Qura

"Say unto those bed
you will be called upon
prowess in war: you will
you die) or they surrender.
God will bestow on you
away as you turned away
with grievous chastisemer

ampooning him and
m. The holy Prophet
hammad Ibn Salmah.
reason with regard to
used to lampoon the
the Quraysh against

same reason for his

have been given in
lasphemy of the holy
opinion with regard
dignity, sanctity and
llective opinion they
who blasphemes the
ights the feelings of
ssue and no one can
w of Islam.

AUDI ARABIA

amahat-ush-Sheikh
personality of the
) with reference to
of opinion of the
only punishment

ny meetings with
karamah in 1986,
is secretary. This
or.

MAULANA AHMAD SAEED KAZMI

The late Maulana Ahmad Saeed Kazmi was an eminent theologian, jurist and scholar. The author had discussed with him in detail the enforcement of Islamic law in Pakistan. He had a clear-cut and unambiguous view about the punishment of blasphemer of the Prophet . He writes:

"Looking into the Book, Prophetic practice, Ummah's consensus and the collective opinion, we have no doubt and we are sure that death is the only penalty for one who blasphemes the Prophet. Open hostility is established by reviling the holy Prophet, which requires the severe punishment of death. The noble Quran says: "This is because they have opposed Allah and His Messenger; who opposes Allah and His Messenger, surely Allah is severe for him in retribution. This is punishment for you: so taste it now: you should also know that there is the torture of hellfire for those who deny the truth."[9]

The Divine command for killing the blasphemers and contemnors is that by opposing Allah and His Prophet they have blasphemed and have been insolent to them. The Quran frequently spells out that insulting the Prophet is an outright act of waging war against him. To go further, a Muslim becomes an apostate after conversion to another faith and an apostate simply faces the penalty of death as described in the Holy Quran:

"Say unto those bedouin who stayed behind: In time you will be called upon (to fight) against people of great prowess in war: you will have to fight against them (until you die) or they surrender. And then, if you heed (that call), God will bestow on you a goodly reward: but if you turn away as you turned away this time, He will chastise you with grievous chastisement."[9]

The above verse which revealed as a prophecy was related to the apostates of Yamamah. Some refer it to the future war against Persia and Byzantium. But the following tradition of Rafay Bin Khadij relates it to the apostates of Bani Hanifah (People of Yamamah):

"Previously we recited this verse, but we never knew about the people under reference till Caliph Abu Bakr Siddiq time when the Muslims were ordered to fight against Banu Hanifah (Yamamah apostates). At that time we came to know that these apostates alone were implied by the verse."

MAULANA SYED MATEE

The late Maulana Sy
was one of Pakistan's top
whole-heartedly stood for the
Luckily the blasphemy case
lifetime. When the author co
him, he was so much pleased
his head to express his sense
Prophet. Tears rolled down
achievement which was ch
looked at this sensitive issu
perspective: (Author's Note)

I believe that the
Islamic faith, rather the p
religions have consensus ov
so much so that even the p
Him as the Creator, and the
the Quran: "And thus it is
them, "who is it that has cre
and sun and the moon subs
will surely answer 'God'[10]

Arguably, it is the h
distinction between truth
unbelief. To testify to his P
him is ultra faith. This is the
community, right from the
today, has ever attempted t
religion, the Prophet has b
claimants to Prophethood,
Thereafter all the heretics
the target of their unjust, b
Whether it is Dianand Sars
and critics, they never ope
the oneness of God or ot
captiously concentrated or

ed as a prophecy was
Some refer it to the
m. But the following
it to the apostates of

verse, but we never
till Caliph Abu Bakr
re ordered to fight
states). At that time
alone were implied

MAULANA SYED MATEEN HASHMI

The late Maulana Syed Mateen Hashmi (d. 1992) was one of Pakistan's topmost research scholars who whole-heartedly stood for the Prophet's sanctity movement. Luckily the blasphemy case had been decided during his lifetime. When the author communicated this good news to him, he was so much pleased that at once he bowed down his head to express his sense of gratitude to Allah and his Prophet. Tears rolled down his cheeks out of joy for this achievement which was cherished desire of his life He looked at this sensitive issue of blasphemy from a new perspective: (Author's Note)

I believe that the noble Prophet is the root of Islamic faith, rather the paragon of faith. Because all religions have consensus over the existence reality of God, so much so that even the polytheists of Makkah accepted Him as the Creator, and the Lord of the Universe as says the Quran: "And thus it is (with most people) if 'thou ask them, "who is it that has created the heavens and the earth, and sun and the moon subservient (to His Laws)? – They will surely answer 'God'[10]

Arguably, it is the holy Prophet who drew a line of distinction between truth and falsehood, belief and unbelief. To testify to his Prophethood is faith and to deny him is ultra faith. This is the reason that if any individual or community, right from the Prophet's auspicious epoch till today, has ever attempted to turn Muslims away from their religion, the Prophet has been the first target. All the false claimants to Prophethood, came down hard upon him too. Thereafter all the heretics and unbelievers also made him the target of their unjust, baseless and capricious criticism. Whether it is Dianand Sarsoti, or Jaypal or western priests and critics, they never openly objected to Muslim belief in the oneness of God or other doctrines of faith. They all captiously concentrated only on the Prophet because they

knew that Islam is simply bracketed with faith in him. It may not be wrong if I say that the Prophet is the only real symbol of faith.

The Ummah has, therefore, been unanimous in its belief that the Prophet's reviler must be put to death without accepting his repentance, and this consensus is rooted in the Quranic verses that have already been stated in "Assarim" of Imam Ibn-e-Tamayah ante.:

A clear and unquestionable historical evidence says that the Prophet's Companions would never spare the life of his blasphemer.

Arfah Ibn-ul-Harith and Ikramah, both companions, had participated in jihad against the apostates of Yemen. A Christian, namely Bandqoon, came across them. Arfah suggested him to accept Islam. He (Bandqoon) passed indecent remarks against the noble Prophet. He was seized and taken to Amr Bin al-As, the governor of Egypt. But the governer, pointing to the accused, said: "We have given them (Non-Muslim) our pledge of protection." Thereupon Arfah said:

"God forbid! Did we give the blasphemer our pledge that they would be at liberty to malign us and Allah and His Prophet? We only took the responsibility that we won't interfere with their religious affairs and their places of worship, that is, they would be free to worship in their churches and temples. Certainly we promised that we won't place burden on them beyond their capacity, and that we would protect their lives, property and places of worship. Also we won't interfere with the practice of their religious injunctions. But if they commit any cognizable offence or create law and order situation, we would decide it according to the commands of Allah."

The governer Amr Bin al As said: "You have spoken the truth" (Al-Tabrani Fil Ausat)

Also another tradition
Umayyah. It is mentioned on th
Al Ausat Ameer says: "I had a p
ill of the Prophet. One day I b
killed her. My nephews raised
there are many people whose p
they have not been murdered
murderer of our mother." Ameer
be killed in revenge. He, there
Prophet and related the whole inc

The Prophet asked him: I
sister?

"Yes, O Prophet of Go
asked him why?: "Ameer replied
uttering scurrilous words against

The Prophet called the so
and apprised them of the facts
contested, therefore, the Prophe
the charge of murder.

These two incidents hav
standpoint and practice of the
issue of blasphemy.

It is worth mentioning
repentance is accepted and the
would start taking liberty with t
spawning moral chaos all around

Allama Ahmad Fathi Bh
to late Dr. Mohammad Yusuf M
Hadood to a repenter, it means t
people on the fallacious ground
which is not in their hearts. A
limits of Allah would be lost."[11]

eted with faith in him. It
e Prophet is the only real

e, been unanimous in its
: must be put to death
e, and this consensus is
have already been stated
ayah ante.:

e historical evidence says
ould never spare the life

ramah, both companions,
e apostates of Yemen. A
me across them. Arfah
He (Bandqoon) passed
Prophet. He was seized
vernor of Egypt. But the
, said: "We have given
protection." Thereupon

e the blasphemer our
to malign us and Allah
e responsibility that we
affairs and their places
free to worship in their
promised that we won't
capacity, and that we
and places of worship.
actice of their religious
cognizable offence or
we would decide it
"

As said: "You have
sat)

Also another tradition regarding Ameer bin Umayyah. It is mentioned on the same page of this book, Al Ausat Ameer says: "I had a pagan sister who would talk ill of the Prophet. One day I brought out my sword and killed her. My nephews raised hue and cry, saying that there are many people whose parents are unbelievers, yet they have not been murdered. Besides, we know the murderer of our mother." Ameer feared that some one may be killed in revenge. He, therefore, appeared before the Prophet and related the whole incident.

The Prophet asked him: Did you really murder your sister?

"Yes, O Prophet of God." He said: The Prophet asked him why?: "Ameer replied: "She had annoyed me by uttering scurrilous words against you."

The Prophet called the sons of the murdered woman and apprised them of the facts. As the matter was not contested, therefore, the Prophet exonerated Ameer from the charge of murder.

These two incidents have clearly authenticated the standpoint and practice of the companions regarding the issue of blasphemy.

It is worth mentioning here that if blasphemer's repentance is accepted and they are given pardon, they would start taking liberty with the sanctity of the Prophet, spawning moral chaos all around.

Allama Ahmad Fathi Bhanti writes with reference to late Dr. Mohammad Yusuf Musa: "If we start writing off Hadood to a repenter, it means that we would pardon such people on the fallacious ground that it is something else which is not in their hearts. At that time the sanctity of limits of Allah would be lost."[11]

DR. MUHAMMAD TAHIR-UL-QADRI

Dr. Muhammad Tahir-ul-Qadri is a well known person both in political and religious spheres. In the Federal Shariat Court he not only fully supported our Shariat petition in all its aspects and concurred with our constitutional and legal discussion but also assisted the court with his logical and argumentative caliber with regard to the punishment of death for a blasphemer of the holy Prophet. Dr. Qadri had gone to the extreme extent that even the intention and motive of the offender are irrelevant and cannot be taken into consideration while deciding the case of blasphemer. He said that a blasphemer must not be given an opportunity of hearing to prove his intention and motive in his defence. We differed with him on this point in the court, because according to Islamic injunctions an accused person has the right to defend himself and no one could be condemned unheard. There is Hadith of the holy Prophet that when Hazrat Ali was appointed as a Judge of Yaman the Prophet advised him to decide the cases after hearing both the parties.

Dr. Qadri, while quoting religious authorities argued that the execution of a blasphemer of the Prophet is unavoidable as nobody can nullify the Hadd. No one can change or amend it as it is a commandment of Allah. Court and government are under obligation to implement Hudood. It is something related to right of the Prophet and he alone can forgo it.

No court and government, according to law, can reduce or do away with the penalty imposed by law of Hudood for committing offences like adultery, theft and drinking, nor there is any provision to pardon the offender. Then how can only the punishment for a heinous crime of blasphemy could be set aside on repentance of a culprit?

MAULANA SALAHUDDIN

Maulana Salahuddin
scholar. He is a Jurist Consul
of Pakistan and Chief Editor
has, in the light of Quran, Ha
submitted to the court his vi
punishment of a blasphemer c

"The standpoint of the
Mr. Ismail Qureshi and those
put their signatures thereon
fact, unambiguous texts of
consensus of the Ummah gi
necessary detail of which
petition.

This is an acknowled
of punishment should matc
minor punishment for
punishment for heinous crim
minor and major offences is
We find the same unreasor
Pakistan Penal Code with
religion and religious pe
important to remove this dis
If a believer or non believer
or mocks at the Prophet fror
he must be awarded punish
must be given an opportur
real facts of the case.

MAULANA SALAHUDDIN YUSAF

Maulana Salahuddin Yusaf is a renowned Salfi scholar. He is a Jurist Consult of the Federal Shariat Court of Pakistan and Chief Editor of a weekly Al-Etesam. He has, in the light of Quran, Hadith and fiqh (jurisprudence), submitted to the court his views in writing regarding the punishment of a blasphemer of the Prophet. He says:

"The standpoint of the author of the Shariat petition Mr. Ismail Qureshi and those ulema and scholars who have put their signatures thereon are quite right and correct. In fact, unambiguous texts of Quran and Hadith and the consensus of the Ummah give validity to this issue. The necessary detail of which is also given in the Shariat petition.

This is an acknowledged principle that the quantum of punishment should match the gravity of crime, i.e., minor punishment for minor offences and severe punishment for heinous crimes. Yet similar penalty for both minor and major offences is unreasonable and unwarranted. We find the same unreasonableness in the provisions of Pakistan Penal Code with regard to offences relating to religion and religious personalities. It is extremely important to remove this discrepancy to make it reasonable. If a believer or non believer blasphemes, slanders, belittles or mocks at the Prophet from all theological considerations, he must be awarded punishment of death. But the offender must be given an opportunity of hearing to ascertain the real facts of the case.

MAULANA MOHAMMAD HUSSAIN AKBAR

Maulana Akbar is an enlightened and eminent scholar of Jafria School of thought and Principal of a seminary. He believes that in the light of Quran, Hadith and theological traditions, the execution of a blasphemer of the Prophet is unavoidable. He says:

"Like our Muslim brethren who follow Hanafi, Shafii, Hanbali and Maliki schools of thought, the Shia Community believes that one who blasphemes the holy Prophet must be put to death.

In his book, Kitab-ul-Hadood (page 361), Ayatullah Syed Mohammad Shirazi says that if someone thinks that any person from amongst the followers of Prophet Mohammad is like him from the viewpoint of nobility and excellence he shall be treated as a blasphemer and should be awarded punishment of death.

Ayatullah Syed Abul-Qasim al-Koi believes that a listener is also under obligation to kill a man who blasphemes the Prophet provided he feels no danger to his life and honour at stake. Shirazi and his associates believe that the companions of all the Prophets in general and those of Prophet Mohammad in particular are respectable in the eyes of believers. None from amongst the Ummah enjoys that status of spiritual rank which is the privilege of the companions on account of their association with the Prophet. We shall commit great blunder if we fail to hold them in high regards. The companions are indeed pillars of exalted Prophetic edifice. It is therefore with a consensus, the punishment of flogging has been prescribed for those who revile them.[12]

Imam Raza has narrated a Prophetic tradition with reference to his forefathers that if anybody who speaks ill of Prophet must be executed, and if anybody insults the

companion of the Prophet, he
punishment of flogging.

Similarly Imam Jafar
the authority of his father as s
share a common responsibil
person hears anyone slande
obligation to murder that co
take the case to a authority i
case is presented to a judge, h
blasphemer executed."[13]

Shariat-ul-Islam Kita
Aqaid (p.241) by Sheikh Sad
and Mullah Baqir Majlisi
Hussain Lahori) and Kitab
Ayatullah Syed Mohammad
same rulings.

ghtened and eminent
ıt and Principal of a
.t of Quran, Hadith and
of a blasphemer of the

who follow Hanafi,
of thought, the Shia
blasphemes the holy

(page 361), Ayatullah
f someone thinks that
ollowers of Prophet
wpoint of nobility and
lasphemer and should

l-Koi believes that a
o kill a man who
eels no danger to his
his associates believe
s in general and those
re respectable in the
t the Ummah enjoys
the privilege of the
ssociation with the
er if we fail to hold
are indeed pillars of
re with a consensus,
prescribed for those

hetic tradition with
ody who speaks ill
ıybody insults the

companion of the Prophet, he would be subjected to the punishment of flogging.

Similarly Imam Jafar Sadiq quoted the Prophet on the authority of his father as saying: "All people (Muslims) share a common responsibility towards me. Hence if a person hears anyone slandering me, he comes under obligation to murder that contemner. There is no need to take the case to a authority i.e. judge. However if such a case is presented to a judge, he is required by law to get the blasphemer executed."[13]

Shariat-ul-Islam Kitab al-Hudood (p.167), Shia Aqaid (p.241) by Sheikh Sadooq Abu Jafar Babwiah Qumi and Mullah Baqir Majlisi (translation by Maulana Arif Hussain Lahori) and Kitab al-Hudood and Tazirat by Ayatullah Syed Mohammad Shirazi (p.348-366) quoted the same rulings.

MAULANA MOHAMMAD SADIQ LALA SAHRAEE

Lala Sahraee is one of those high-ranking devotees, who have consecrated their heart and soul and pen and tongue to extolling the holy Prophet. He has also happened to visit the place of that fortified mansion where Ka'b bin-Ashraf, the Prophet's blasphemer, was killed. Lala Sahraee has referred to some reports from Seerah (Prophet's biography) and in this regard he writes:

The first incident took place in 2 A.H when the Prophet was victoriously returning from Badr. During the journey when the holy Prophet marched out of the pass of the Safra Valley he spotted one Nasr-bin-Harith who during his Makkan life used to slander and malign the Prophet. On the Prophet's order this offender was put to death by Hazrat Ali.

Again during the same journey when the Prophet reached Araq-un-Nateebah, he saw another man, by name of Aqbah-bin-Abi Mohit. In Makkah once this man had put the camel offal over the Prophet, when he was offering his prayer and also on another occasion in Ka'bah he had tortured the Prophet by tightening a cloth against his neck. Obeying the Prophet's order Hazrat Ali beheaded him.

The following year four blasphemers were beheaded one after another. Uqmana, a Jewish poetess who had lampooned the Prophet met her death at the hands of Ameer bin Iddi, a blind companion who was later called by the Prophet as "Baseer" (one who sees). Another poet Abu Afak, who used to slander the prophet, was killed by Salim bin Umar in compliance of the Prophet's order.

Ka'b bin Ashraf became the next victim of capital punishment. Besides being a poet he was a wealthy Jew who lived in a splendid spacious and fortified house in the vicinity of Madinah. On account of his dominating family image and financial position he was audacious enough to

speak ill of the Prophet. Abu
companions of the prophet under a
Prophet entered Ka'b's mansion ar
Sehraee visited the ruin of the
Hijra.

Abu Rafay, another wealth
mansion at Khyber, would abe
towards Islam and slanderous
Prophet. Hazrat Abdullah by the o
him in his chambers. The same y
from the Battle of Uhud, the Pr
Izzah who through his poetry
feelings of the Quraish pagans
Thabit executed the order of the
to the death.

On the eve of
Prophet declared a general a
polytheists with the exception of
standing orders from the Prophet
even if they were found wra
covering. Hairth-bin-Talal, the la
and Umme Sa'd, lampooning
Khatal, who were among those d

high-ranking devotees,
and soul and pen and
He has also happened
nsion where Ka'b bin-
as killed. Lala Sahraee
m Seerah (Prophet's
s:

in 2 A.H when the
om Badr. During the
ed out of the pass of
in-Harith who during
align the Prophet. On
ut to death by Hazrat

y when the Prophet
other man, by name
nce this man had put
he was offering his
in Ka'bah he had
th against his neck.
beheaded him.

blasphemers were
Jewish poetess who
ath at the hands of
was later called by
Another poet Abu
vas killed by Salim
order.

t victim of capital
as a wealthy Jew
tified house in the
dominating family
lacious enough to

speak ill of the Prophet. Abu Nailah and some other companions of the prophet under a special order of the holy Prophet entered Ka'b's mansion and put him to death. Lala Sehraee visited the ruin of the castle of Ka'ab in 1385 Hijra.

Abu Rafay, another wealthy trader who lived in his mansion at Khyber, would abet Ka'b in his hostility towards Islam and slanderous campaign against the Prophet. Hazrat Abdullah by the order of the Prophet killed him in his chambers. The same year, while marching back from the Battle of Uhud, the Prophet had seen one Abu Izzah who through his poetry had been instigating the feelings of the Quraish pagans against him. Asim-bin-Thabit executed the order of the holy Prophet and put him to the death.

On the eve of Makka's conquest, the Prophet declared a general amnesty for infidels and polytheists with the exception of a few of them. There were standing orders from the Prophet for killing them on sight, even if they were found wrapped up in the Ka'bah covering. Hairth-bin-Talal, the lampooning poet and Artab and Umme Sa'd, lampooning singer bondmaids of Ibn Khatal, who were among those declared offenders.

IMAM KHOMEINI'S DECLARATION

From the Islamic world, Iranian revolutionary spiritual leader Ruhullah Imam Khomeini was the first to issue the following edict against Salman Rushdie, author of the "Satanic Verses" and its publisher.

Proclamation

"This Islamic edict is issued to world Muslims in the name of supreme, sovereign and one God to whom we all shall have to return.

Salman Rushdie, author of 'The Satanic Verses' who has used scurrilous language against Islam and the holy Prophet and the printer and publisher of this book who knowingly the contents of the book printed and published it, carry the death punishment over their heads for such a heinous, unpardonable crime. Hence I make an earnest appeal to all the Muslims of the world, who have sense of honour, to execute this sentence of death so that no one shall dare in future to take such nonsensical liberty of insulting the holy Prophet of Islam. May God bless you all.

The Western media have been trying to give this impression that Fatwa (edicts) council of the biggest Muslim seminary, Jamiah-al-Azhar, and the Makkah-based juristic authority have declared Imam-Khomeini's juristic Fatwa is violative of Islamic injunctions. But this is wrong and incorrect. Indeed the learned Abdullah al-Mashhad, Head of the Fatwa council of Jamia-al-Azhar and Dr. Muhammad Hisamuddin, Chairman of the theological Department of Al-Azhar also declared that Rushdie's execution would be lawful, yet they have given the right of self defence to the culprit in their edict.

Similarly, the Makkah academy of jurisprudence, too, announced on the authority of the edict of the Grand Mufti of Saudi Arabia, Samahat-ul-Shaikh

Abdul Aziz bin Baaz that
blasphemer of the holy Prop
Yet it has explained that F
Islamic court of a Muslim c
opportunity to defend hims
sould be awarded to him.

Declaration of Ayatullah K

Supreme Spiritual
Khamana Ei, heir apparent
observed: "Fatwa of the gre
in force so that there should
attacks on the noblest per
notorious and shameless wr

ARATION

anian revolutionary
eini was the first to
n Rushdie, author of

world Muslims in
e God to whom we

he Satanic Verses'
inst Islam and the
er of this book who
nted and published
r heads for such a
make an earnest
who have sense of
th so that no one
ensical liberty of
God bless you all.

ying to give this
of the biggest
he Makkah-based
homeini's juristic
But this is wrong
llah al-Mashhad,
-Azhar and Dr.
the theological
that Rushdie's
iven the right of

academy of
rity of the edict
nahat-ul-Shaikh

Abdul Aziz bin Baaz that the death punishment of the blasphemer of the holy Prophet is in accord with Shariah. Yet it has explained that Rushdie should be tried in an Islamic court of a Muslim country and should be given an opportunity to defend himself, whereafter death sentense sould be awarded to him.

Declaration of Ayatullah Khamana Ei

Supreme Spiritual Authority of Iran Ayatullah Khamana Ei, heir apparent of Ruhullah Imam Khomeini, observed: "Fatwa of the great Imam Khomeini shall remain in force so that there should be no recurrence of slanderous attacks on the noblest personage of the Holy Prophet by notorious and shameless writers sponsored by the West."

MAULANA ABU AL-HASSAN ALI NADVI

Maulana Abu Al-Hassan Ali Nadvi, a renowned scholar of the Muslim world and chancellor of Dar-ul-Uloom Nadvatual Ulema of India, has supported Imam Khomeini's edict against Rushdie. He declared that the execution of Rushdie, author of Satanic Verses is justifiable. In his public statement he said: "Rushdie has insulted the Prophet of Islam and outraged the feelings of Muslims all over the world. The Muslims fully agree to the edict of Imam Khomeini because one, who blasphemes the Prophet, has always been awarded death penalty according to Islamic law of Blasphemy. Muslim scholars and jurists unanimously hold this view that has never been repudiated."[14]

DR. ABDULLAH UMAR NASEEF

Dr. Abdullah Umar Naseef, Secretary General of Rabitah Alam-i-Islami and head of Motamar is a learned and distinguished personality of the Muslim world. He at a special Rabitah meeting, in which the representative ulema of Muslim world participated, announced this unanimous decision: "Salman Rushdie is a renegade for whom Islam prescribes death penalty. He appealed to the Ummah to get Rushdie tried in a Muslim country by filing a complaint against him for committing the heinous offence of blasphemy. Whatever Rushdie has written in his book, he said, has nothing to do with the freedom of conscience or freedom of expression. It has outraged the feelings of all Muslims throughout the world. Salman Rushdie has been renegaded from Islam therefore he is liable to the punishment of death for the crime of blasphemy according to Law of Shariah.[15]

GHAZI ILMUD

Ghazi Illmuddin was
alias Talaymand, a carpe
background, who lived in the
still a small boy when he lear
father initiated him into carp
skill within a few years. On
friend Abdur Rashid, he pa
where religious leaders we
Hindu publisher, Rajpal,
blasphemous book. In their
that Muslims should punish
their own lives. On hearing
surged through the minds of
home Ilmuddin asked his f
after insulting our Prophet?"

"No my son", Tala
never leave him alive." "W
son again asked his father.

"Yes my son, he w
Britisher's law," came the
to why his son was putti
following day Illamuddin
owned by Aatma Ram, a
Then he went straight to R
death on the spot with lou
my Prophet". After his arr
Judge Lahore after prelimi
the Court of Session's Jud
recording evidence and he
convicted Ilamuddin und
Code and awarded dea
confirmation by the High
22.5.1929. Ilamuddin, in
parents, got an appeal fi

I NADVI

Nadvi, a renowned
hancellor of Dar-ul-
has supported Imam
He declared that the
Satanic Verses is
e said: "Rushdie has
raged the feelings of
ims fully agree to the
who blasphemes the
th penalty according
scholars and jurists
has never been

ecretary General of
otamar is a learned
slim world. He at a
epresentative ulema
ed this unanimous
le for whom Islam
the Ummah to get
filing a complaint
nous offence of
en in his book, he
of conscience or
he feelings of all
Rushdie has been
is liable to the
phemy according

GHAZI ILMUDDIN SHAHEED

Ghazi Illmuddin was the son of Talay Muhammad alias Talaymand, a carpenter with the labour class background, who lived in the walled city of Lahore. He was still a small boy when he learnt to read the Quran. Soon, his father initiated him into carpentry in which he mastered the skill within a few years. One evening, accompanied by his friend Abdur Rashid, he passed by Masjid Wazeer Khan, where religious leaders were making speeches against a Hindu publisher, Rajpal, who had brought out a blasphemous book. In their fiery speeches, they announced that Muslims should punish Raj Pal even if it meant risking their own lives. On hearing the declaration a fit of anguish surged through the minds of the two friends. After reaching home Ilmuddin asked his father: "Can anybody live alive after insulting our Prophet?"

"No my son", Talaymand replied: "Muslims will never leave him alive." "Will his killer be punished?" The son again asked his father.

"Yes my son, he will be hanged according to the Britisher's law," came the reply. Talaymand got worried as to why his son was putting such questions to him. The following day Illamuddin came to a junk-shop which was owned by Aatma Ram, a Hindu, and purchased a knife. Then he went straight to Raj Pal's shop and knifed him to death on the spot with loud cry, "I have taken revenge for my Prophet". After his arrest Mr. Louis, Additional District Judge Lahore after preliminary inquiry, sent up the case to the Court of Session's Judge Lahore. The trial Judge, after recording evidence and hearing the counsels of both sides, convicted Ilamuddin under section 302 of Indian Penal Code and awarded death sentence to him subject to confirmation by the High Court vide his judgment dated 22.5.1929. Ilamuddin, in due deference to the wishes of his parents, got an appeal filed against this judgment in the

Lahore High Court. Mr. Mohammad Ali Jinnah, the leading lawyer of that time who rose up as an accomplished leader of Indian Muslims, appeared as his defence counsel. Mr. Justice Broadway and Mr. Justice John Stone heard the case.

Mr. Jinnah's argument, inter alia, hinged on this important point that by publishing an extremely sacrilegious and objectionable book, Raj Pal deliberately insulted the holy Prophet of Islam which outraged the feelings of Muslims, so a Muslim youth committed the offence out of grave provocation.

He argued that the young age of the accused was also to be kept in view while deciding the case. Hence under these mitigating circumstances, the punishment of death is very harsh so it should be converted to the life imprisonment. The counsel for the Government amongst other arguments took the plea that the insult of the Prophet of Islam was really undesireable. Since no punishment is prescribed in the Indian Penal Code, therefore, Raj Pal had not committed any offence. He further contended that the act of the accused could not be attributed to provocation. This was a deliberate and intentional murder; so he deserved death sentence. After hearing arguments of both sides the Lahore High Court dismissed the appeal and confirmed the death sentence of Ilamuddin vide its judgment dated 17.7.1929. On the insistence of the Muslim leaders of India, the High Court's judgment was challenged in the Privy Council. In fact the idea under this consideration was that perhaps justice would be done to Muslims against a scenario of communalism, but the Privy council also dismissed the petition with a short order dated 5.11.1929. When this decision was conveyed to Ghazi Ilmuddin he cried out of joy: "What else more can I think about my good luck that I am going to be blessed with

martyrdom and also being lec
Prophet?"

At last came the mu
moment of his life on 30
breathed his last on the gallo
that earlier permitted by the
non-obligatory Prayer as a t
A strange aura of mystery p
everything seemed to have
huge crowd of Muslims imp
carry the body of the Shah
But the Jail authorities fea
disturbance by Hindu and
Ilamuddin in the prisone
compound.

This made matters v
in the whole of Punjab. Bu
and other cities with the
People staged large scale p
and bare-headed in larg
incident and the governme
extremely grave and uncor
dignitaries, including Alla
and Syed Mohsen Shah, f
Pakistan Dr. Syed Nasim
Governor with the dema
martyr should be hande
assurance that public peac
the government agreed to

After the lapse o
martyr was exhumed fro
Muslim Magistrate and M
surprise of eyewitnesses
and it seemed as if the m
moments before. The b

Ali Jinnah, the leading
ı accomplished leader
defence counsel. Mr.
ohn Stone heard the

alia, hinged on this
ıing an extremely
Raj Pal deliberately
which outraged the
outh committed the

of the accused was
ing the case. Hence
the punishment of
onverted to the life
overnment amongst
insult of the Prophet
e no punishment is
erefore, Raj Pal had
contended that the
ıted to provocation.
ıal murder; so he
arguments of both
ed the appeal and
lamuddin vide its
ence of the Muslim
ent was challenged
idea under this
would be done to
lism, but the Privy
a short order dated
onveyed to Ghazi
e more can I think
o be blessed with

martyrdom and also being led into the presence of the Holy Prophet?"

At last came the much awaited and most crucial moment of his life on 30th November 1929 when he breathed his last on the gallows. It may be mentioned here that earlier permitted by the Magistrate, he had offered two non-obligatory Prayer as a token of thanks giving to God. A strange aura of mystery prevailed all around the jail and everything seemed to have lapsed into a grim silence. A huge crowd of Muslims impatiently stood outside the jail to carry the body of the Shaheed away for burial in Lahore. But the Jail authorities fearing that event might spark off disturbance by Hindu and Muslim riots, hurriedly buried Ilamuddin in the prisoner's graveyard within the jail compound.

This made matters worse and trouble was fermented in the whole of Punjab. Businesses were closed in Lahore and other cities with the routine life coming to a halt. People staged large scale protests and came out bare-footed and bare-headed in large processions, lamenting the incident and the governments apathy. The situation became extremely grave and uncontrollable. Thereupon the Muslim dignitaries, including Allama Iqbal, Sir Mohammad Shafi and Syed Mohsen Shah, father of former Chief Justice of Pakistan Dr. Syed Nasim Hassan Shah, met the Punjab Governor with the demand that the body of the young martyr should be handed over to Muslims. On their assurance that public peace and order would be maintained the government agreed to deliver the body to them.

After the lapse of 13 days the dead body of the martyr was exhumed from the grave in the presence of a Muslim Magistrate and Municipal Commissioners. To the surprise of eyewitnesses the corpse was absolutely intact and it seemed as if the martyr had gone to sleep only a few moments before. The body was brought to Lahore for

reburial. A sea of men had surged up to the graveyard. Talay Mohammad (Ilmuddin's father) requested Allama Iqbal, the greatest devotee of the Prophet, to lead the funeral prayer. But being under emotional stress, he sought an exuse from doing this religious duty. Maulana Mohammad Shamsuddin, Imam Masjid Vazir Khan, led the funeral prayer. Prior to laying the body of Ilmuddin into the grave, Maulana Zafar Ali Khan, a renowned personality of the subcontinent, observed: "I wish if I were in his place." Such was the dignified burial that Lahore never again witnessed its like thereafter. It was due to love and devotion ingrained in hearts of Muslims for their holy Prophet. We have appended the judgment of The High Court Judicature at Lahore in re Ilamdin Vs King Emperor dated 15-07-1929 as Appendix-E. And the order of the Court at Buckingham Palace dated 5th November, 1929 on Ilamdin petition is Appendix-E/1.

GHAZI ABDUL Q

Ghazi Abdul Qayum
family of Ghaziabad, Hazara
search of livelihood. There h
subsistence of his newly w
uncle and a widow sister, He
night Prayers in the mosque
Imam told his audience wi
Hindu Nathu Ram, had insu
On hearing it, he was seiz
instantly pledged to Allah th
of such a despicable wretch.

Nathu Ram was a
who had written History
reviled both Islam and th
Muslims to psychic disquie
city. Apprehending the br
instituted a criminal case
him one year sentence wit
was provisionally bailed
judicial commissioner Kar
sentence. The day when th
held by a bench of two B
Court, Nathu Ram accomp
entered the courtroom in
Muslims had assembled in
court to hear the decision
of court proceedings, Abd
into the courtroom to get
chance, he swiftly took
stabbed it into the stomac
down on the floor with
thought lest his victim sho
neck with full force and cu

up to the graveyard.
r) requested Allama
Prophet, to lead the
onal stress, he sought
ous duty. Maulana
d Vazir Khan, led the
of Ilmuddin into the
owned personality of
I were in his place."
Lahore never again
; due to love and
lims for their holy
gment of The High
n Vs King Emperor
d the order of the
November, 1929 on

GHAZI ABDUL QAYUM, SHAHEED

Ghazi Abdul Qayum, a young boy from a poor family of Ghaziabad, Hazarah District, came to Karachi in search of livelihood. There he got a job of Tonga driver for subsistence of his newly wedded wife, old mother and uncle and a widow sister, He used to offer his morning and night Prayers in the mosque of his locality. One day, the Imam told his audience with tearful eyes that a wicked Hindu Nathu Ram, had insulted the Holy Prophet of God. On hearing it, he was seized by an impulse of fury and instantly pledged to Allah that he would never spare the life of such a despicable wretch.

Nathu Ram was a bigoted Hindu fundamentalist, who had written History of Islam in 1933 in which he reviled both Islam and the Prophet. This subjected the Muslims to psychic disquiet and tension gripped the whole city. Apprehending the breach of peace the Government instituted a criminal case against him. The court awarded him one year sentence with a fine. But in March 1934 he was provisionally bailed out following his appeal to the judicial commissioner Karachi against his conviction and sentence. The day when the hearing of the case was to be held by a bench of two British judges of the Sindh Chief Court, Nathu Ram accompanied by his friends and lawyers, entered the courtroom in a happy mood. Both Hindus and Muslims had assembled in the court room and outside the court to hear the decision of the case. Just before the start of court proceedings, Abdul Qayum had managed to sneak into the courtroom to get near Nathu Ram. Seizing upon his chance, he swiftly took out a sharp edged dagger and stabbed it into the stomach of his victim. Nathu Ram fell down on the floor with his face down wards. Qayum thought lest his victim should survive, he pounced upon his neck with full force and cut off his jugular vein.

People stampeded out of the courtroom on account of this incident. The judges too were frightened. Later Abdul Qayum offered himself for arrest. After his arrest, the English Judge Said Abdul Qaiyum "you have murdered the man and asked him "what had promoted you for taking such a rash and violent act? Pointing towards a framed photograph of King George, he replied "Could you tolerate insulting and abusive language if uttered against your King? Then how could we forgive the slanderous attack against our Prophet who is the king of Kings" He refused the offer for his defence. However a well known lawyer of Karachi Barrister Syed Mohammad Aslam persuaded him to fight his case on legal points without retracting his confession. As a matter of fact the learned counsel argued the case with courage of conviction, but as Abdul Qayyum had made confession of murder and on the basis of ocular evidence, the court awarded him the sentence of death.

When he heard the announcement of his death sentence, his face beamed with joy and he shouted loudly "Allah ho Akbar" in the Court room.

Then addressing the judges he said: "I am proud of my good luck that I dispatched a wicked soul to hell fire. Allah has bestowed upon me a rare blessing of martyrdom. Not to speak of this one life. I can even sacrifice thousands of such lives for the sake of diginity of my Holy Prophet."

The sight of this funeral procession too was over inspiring and heart warming because there was a ceaseless offering of Darood-o-Salam (salutation and greetings to the Holy Prophet). Yet, so arrogant anti human was the temper of the colonial government that the army troops were ordered to open fire to disperse the funeral processionists. This unprovoked firing killed and injured scores of Muslims. Even the innocent women and children who were casting flowers over the martyr's coffin from the rooftops received fatal injures. It was this grim agitating situation

which moved the great poet pl
inspiring poem under caption "
faithfully portrayed the intense
nation. He urged Muslims t
sustaining effort against an op
Christian imperialism. He ad
making mercy appeal against
of any sort of blood money for
Ilamuddin, and Abdul Qayyum
precious that its price could n
silver or gold.

Conslusion

We have narrated the
several hundred cases of mart
into their own hands during
Because in those days the Isl
annulled alongwith the other
government which introduced
year 1860. It is interesting
blasphemy against Jesus Chris
in Great Britain and it is still in

The object of narrating
to show that blasphemers
punished by the Muslims be
redress their grievance with re
the holy Prophet with the m
their religious feelings. So th
deters blasphemers from cha
noble Prophet of Islam. At th
the outraged Muslims from
against the blasphemers bec
available against the offender

The print media of U
The Islamic Law of Blasphem

urtroom on account
e frightened. Later
st. After his arrest,
'you have murdered
ioted you for taking
; towards a framed
"Could you tolerate
tered against your
e slanderous attack
Kings" He refused
ell known lawyer of
lam persuaded him
hout retracting his
ned counsel argued
t as Abdul Qayyum
the basis of ocular
tence of death.

ment of his death
he shouted loudly

aid: "I am proud of
ed soul to hell fire.
sing of martyrdom.
sacrifice thousands
y Holy Prophet."

sion too was over
ere was a ceaseless
nd greetings to the
nan was the temper
army troops were
eral processionists.
injured scores of
children who were
from the rooftops
agitating situation

which moved the great poet philosopher Iqbal to write an inspiring poem under caption "Lahore and Karachi" which faithfully portrayed the intense feelings of his grief-stricken nation. He urged Muslims to collectively make a self sustaining effort against an oppressive scenario of western Christian imperialism. He advised them to refrain from making mercy appeal against their hanging or demanding of any sort of blood money for their young Muslim martyrs Ilamuddin, and Abdul Qayyum as their sacred blood was so precious that its price could not be evaluated in terms of silver or gold.

Conslusion

We have narrated the above two instances out of several hundred cases of martyrs, who had taken the law into their own hands during the British rule in India. Because in those days the Islamic law of blasphemy was annulled alongwith the other Muslim laws by the British government which introduced its own Penal Code in the year 1860. It is interesting to note that the law of blasphemy against Jesus Christ was operative at that time in Great Britain and it is still inforce there.

The object of narrating the above fateful instances is to show that blasphemers of the holy Prophet were punished by the Muslims because there was no law to redress their grievance with regard to slanderous attacks on the holy Prophet with the malicious intention to outrage their religious feelings. So the Islamic law of Blasphemy deters blasphemers from character assassination of their noble Prophet of Islam. At the same time it would refrain the outraged Muslims from taking law into their hands against the blasphemers because an adequate remedy is available against the offender through due process of law.

The print media of USA is vehemently opposing The Islamic Law of Blasphemy in Pakistan. The author is

victim of unfair attacks in Sunday Times magazine and Reader's Digest of January 2000. One of the relevant portions from the lengthy article is Appendix-F. However the attitude of Harvard Law School was friendly. The director of the department of law sent one of the research students to meet the author in order to seek further instructions in respect of Law of Blasphemy. A letter of appreciation from Ms. Peri Bearman is Appendix-G.

Islamic Principles of Justice

Islam does not advocate aggression, extremism and injustice to others or killing innocent people. It is a religion of peace (Salamah) moderation in every aspect of life as described in the Quran: "Thus We have appointed to Muslims a midmost nation that you might be witness to mankind." (2:143) (Pickthal trans)

Killing an inocnet person amounts to slaughtering of all mankind. According to the Quranic injunction: "If anyone slays a human being unless it be (in punishment)for murder or for spreading corruption (disorder) on earth – It shall be as though he had slain all mankind; whereas, if anyone saves a life, it shall be as though he had saved the lives of all mankind."[16]

Quran has explicitly declared: "There is no compulsion in religion."[17] (2:256) This is the basic principle of Islam. Muslims wherever in power, never forced anyone to accept Islam. Even western thinkers rejected the legend of spreading Islam at the point of sword as absurd myth. Whereas the violence in the name of God—the crusades, forced conversion, pogroms and Inquisition are historical facts of medieval period of Christian West. The history of crusade is abroad again in the present century.

The history shall bear witness to this truth that Muslims not only believe in stern code of honour, but they

adhered to it. They have neve
disrespect to any prophet of Scr
sacred religious objects of oth
ordained them: "Say (O Muslims):
that which is revealed unto us and
unto Abraham, and Ishamel, and Is
descendants and that which Moses
that which the prophets received fr
no distinction between any of them
surrendered."[18] (2:136) (Pickthal tr

Muslims had never been
bigoted Christian and Jewish con
their prophet in the same way as
Moses and other prophets of Scri
wanted that non-Muslims, especia
should not slander their beloved P
love and respect is deeply en
irrespective of time and space. Thi
immense for the holy prophet that
sacrifice his life, property and eve
one of his family to protect his d
Muslims have the right to differ w
slanderous and inflammatory atta
outrage their feelings.

Therefore, there is great
religious sensibilities of Muslim w
that even now in 21st century in t
diehard leaders of Christian sc
themselves of the old prejudice da
At an international conference of
January 21, 2007 a well-known
Daniel Pipes, Director of the Mi
advisor to US policymakers of
said: "The clash of civilizations i
not be any peaceful settlemen

Sunday Times magazine and
2000. One of the relevant
ticle is Appendix-F. However
w School was friendly. The
law sent one of the research
or in order to seek further
w of Blasphemy. A letter of
earman is Appendix-G.

ate aggression, extremism and
nnocent people. It is a religion
on in every aspect of life as
Thus We have appointed to
hat you might be witness to
ans)

rson amounts to slaughtering
o the Quranic injunction: "If
nless it be (in punishment)for
ption (disorder) on earth – It
ain all mankind; whereas, if
e as though he had saved the

declared: "There is no
(2:256) This is the basic
wherever in power, never
am. Even western thinkers
ig Islam at the point of sword
ie violence in the name of
conversion, pogroms and
cts of medieval period of
of crusade is abroad again in

r witness to this truth that
ern code of honour, but they

adhered to it. They have never shown the slightest disrespect to any prophet of Scriptures or ridiculed the sacred religious objects of other religions. God has ordained them: "Say (O Muslims): We believe in Allah and that which is revealed unto us and that which has revealed unto Abraham, and Ishamel, and Isaac, and Jacob and their descendants and that which Moses and Jesus received, and that which the prophets received from their Lord. We make no distinction between any of them and unto Him we have surrendered."[18] (2:136) (Pickthal trans.)

Muslims had never been under the illusion that bigoted Christian and Jewish community would venerate their prophet in the same way as Muslims adore Christ, Moses and other prophets of Scriptures. Muslims simply wanted that non-Muslims, especially the Christians west should not slander their beloved Prophet for whom utmost love and respect is deeply enshrined in their hearts irrespective of time and space. This love and affection is so immense for the holy prophet that a Muslim is prepared to sacrifice his life, property and even the nearest and dearest one of his family to protect his dignity and honour. Non-Muslims have the right to differ with Islamic teachings, but slanderous and inflammatory attacks on the holy Prophet outrage their feelings.

Therefore, there is great need to understand the religious sensibilities of Muslim world. But the problem is that even now in 21st century in this globalizing world the diehard leaders of Christian society could not divest themselves of the old prejudice dating back to the crusades. At an international conference of interfaith debate held in January 21, 2007 a well-known US Neocon leader Mr. Daniel Pipes, Director of the Middle East Forum — and advisor to US policymakers of the region, emphatically said: "The clash of civilizations is inevitable. There could not be any peaceful settlement of ongoing clash of

civilizations interchangeable with 'Islamism', unless one vanquished the other. Then alone there would be peace in the world". He was, however afraid when he said; A time would soon come when preachers of 'Islamism' would prevail and subject the world to Shariah laws." The organizer of the conference Mr. Ken Livington, who is a liberal cultured Mayor of London vehemently disagreed with misconceived notion of Neocon leader. Obviously Daniel Pipe's argument is motivated by irrational fear without comprehensive study of Islam. This expression of hatred against Islam is in contrast to the well meaning bold statement of Pope John Paul-II – the predecessor of the present Pope Benedict. Addressing the conflicting world after the event of September 11, 2001, Pope John Paul-II said: "A clash ensues only when Islam and Christianity are misunderstood or manipulated for political or ideological ends. Stressing the need for interfaith dialogue he said: "Islam and Christianity worship one God, Creator of heavens and earth, there is ample room for agreement and cooperation between them." This is fundamental principle of peaceful co-existence on one planet which God has created for all human beings.

References Part III

Chapter XII

1. Surah 58:20, The Mean
   by S. Abul A'la Maudu
2. Explanation Note 36 Ib
   page 335.
3. Surah At-Twabah 9, A
   Quran, published by
   Complex, page 500.
4. Surah 9:14-15, The Me
   Muhammad Asad.
5. Surah Al-Hujurat 49:12,
6. Abu Daud, volume 2, pa
7. Kitabul Maghazi of Buk
8. Surah Al-Anfal 8: Ay
   Quran, Vol II, page 127
9. Al-Fath 48:16 (Trans
   Muhammad Asad)
10. Surah The Spider 29:
    Muhammad Asad, page
11. Al-Siyasat al-Jamiyah F
    Cairo in 1965, page 140.
12. Rasail-ush-shia p.460 an
13. Tahreer-ul-Waseelah, pa
14. Qaumi Awaz 23 Februa
15. Ibid.

vith 'Islamism', unless one
one there would be peace in
afraid when he said; A time
chers of 'Islamism' would
ld to Shariah laws." The
Ir. Ken Livington, who is a
ndon vehemently disagreed
Neocon leader. Obviously
notivated by irrational fear
of Islam. This expression of
ast to the well meaning bold
II – the predecessor of the
ssing the conflicting world
11, 2001, Pope John Paul-II
en Islam and Christianity are
. for political or ideological
interfaith dialogue he said:
ship one God, Creator of
ple room for agreement and
his is fundamental principle
one planet which God has

References Part III

Chapter XII

1. Surah 58:20, The Meaning of the Quran Vol. V Page 393 by S. Abul A'la Maududi
2. Explanation Note 36 Ibidm, refers to note 93 of Surah 33, page 335.
3. Surah At-Twabah 9, Ayat 12, Translation of the Holy Quran, published by King Fahd Holy Quran Printing Complex, page 500.
4. Surah 9:14-15, The Message of the Qur'an, page 258 by Muhammad Asad.
5. Surah Al-Hujurat 49:12, Ibid.
6. Abu Daud, volume 2, page 355-357.
7. Kitabul Maghazi of Bukhari.
8. Surah Al-Anfal 8: Ayat 14, (Trans: The Meaning of Quran, Vol II, page 127 by S. Abdul A'la Maududi).
9. Al-Fath 48:16 (Trans: The Message of Quran by Muhammad Asad)
10. Surah The Spider 29:61, The Message of Quran by Muhammad Asad, page 615.
11. Al-Siyasat al-Jamiyah Fi-Shariah al-Islamiah published in Cairo in 1965, page 140.
12. Rasail-ush-shia p.460 and al-Hadood of Shirazi p.352
13. Tahreer-ul-Waseelah, page 600-607.
14. Qaumi Awaz 23 February, 1979.
15. Ibid.

"Appendix-A"

Before Gul Muhammad Khan, C.J.,

Abdul Karim Khan Kundi, Ibadat Yar Khan,

Adbul Razzak A. Thahim and Fida Muhammad Khan, JJ

MUHAMMAD ISMAIL QURESHI...**Petitioner**

Versus

Pakistan through Secretary, Law and Parliamentary Affairs...**Respondent**

Shariat Peititon No.6/L of 1987, decided on 30th October, 1990.

Dates of hearing: 26th to 29th November, 1989 and 4th to 7th March, 1990.

JUDGMENT

GUL MUHAMMAD KHAN, C.J. —This order shall also dispose of Shariat Petition No.1/L of 1984 and S.S. M. No. 106/81 on the same point. Petitioner Muhammad Ismail Qureshi, Advocate, challenges section 295-C of the Pakistan Penal Code, which was enacted vide Ordinance I of 1988. Earlier, the same petitioner had moved a similar application (Shariat Petition No. 1/L of 1984) but before it could be decided the legislature, of its own, amended the law and inducted section 259-C, P.P.C., referred to above. The petitioner feeling unsatisfied even with that has approached this Court. Section 295-C reads as under: -

"Section 295-C. Use of derogatory remarks etc. in respect of the Holy Prophet. —Whoever by words, either spoken or written, or by visible representation, or by any
insinuation, directly or inc
name of the Holy Propl
punished with death, or i
shall also be liable to fine.

2. The precise objection take
that the alternate punishm
therein is repugnant to th
laid down in the Holy Q
Holy Prophet. The conte
disrespect or use of der
respect of the Holy Pro
purview of hadd and th
provided in the Holy Qur
altered. The learned couns
of Surah Anfal, Verse 65
regard. The learned couns
Traditions of the Holy Pro
to plead that the sentenc
punishment and no Cou
authority to pronounce th
imprisonment.

3. This Court issued public n
some Jurisconsults to assi
Lahore, Karachi and Islar
and had the assistan
Jurisconsults:-

(1) Maulana Subhan Mahm

(2) Maulana Mufti Ghulam

(3) Maulana Hafiz Salahud

(4) Maulana Muhammad A

(5) Maulana Syed Abdul S

(6) Maulana Fazle Hadi an

ımad Khan, C.J.,
ndi, Ibadat Yar Khan,
Fida Muhammad Khan, JJ
ESHI...Petitioner
sus
Law and Parliamentary

37, decided on 30th October,

November, 1989 and 4th to

)GMENT

MAD KHAN, C.J. —This
e of Shariat Petition No.1/L
o. 106/81 on the same point.
Ismail Qureshi, Advocate,
5-C of the Pakistan Penal
ed vide Ordinance I of 1988.
tioner had moved a similar
tition No. 1/L of 1984) but
cided the legislature, of its
and inducted section 259-C,
ove. The petitioner feeling
that has approached this
eads as under: -

. Use of derogatory remarks
loly Prophet. —Whoever by
or written, or by visible

representation, or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad shall be punished with death, or imprisonment for life and shall also be liable to fine."

2. The precise objection taken against this provision is that the alternate punishment of life imprisonment therein is repugnant to the Injunctions of Islam as laid down in the Holy Qur'an and Sunnah of the Holy Prophet. The contention raised is that any disrespect or use of derogatory remarks etc. in respect of the Holy Prophet comes within the purview of hadd and the punishment of death provided in the Holy Quran and Sunnah cannot be altered. The learned counsel had relied on Verse 13 of Surah Anfal, Verse 65 of Surah Al-Nisa in this regard. The learned counsel also referred to some Traditions of the Holy Prophet in support of his plea to plead that the sentence of death only is the punishment and no Court shall be given the authority to pronounce the lesser sentence of life imprisonment.

3. This Court issued public notices and also requested some Jurisconsults to assist. The case was heard at Lahore, Karachi and Islamabad on so many dates and had the assistance of the following Jurisconsults:-

(1) Maulana Subhan Mahmood

(2) Maulana Mufti Ghulam Sarwar Qadri

(3) Maulana Hafiz Salahuddin Yousaf.

(4) Maulana Muhammad Abdo-hu Al-Falah.

(5) Maulana Syed Abdul Shakoor.

(6) Maulana Fazle Hadi and

(7) Maulana Saeed-ud-Din Sherkoti.

Out of the above, the following supported the plea taken by the petitioner to say that sentence of death is only sentence for this offence:--

(1) Maulana Subhan Mahmood.

(2) Maulana Mufti Ghulam Sarwar Qadri.

(3) Maulana Hafiz Salah uddin Yousaf.

(4) Maulana Muhammad Abdo-hu Al-Falah.

(5) Maulana Syed Abdul Shakoor and

(6) Maulana Fazle Hadi.

The following further stated that in case repentance is shown by the offender the sentence would be waived:-

(1) Maulana Subhan Mahmood.

(2) Maulana Mufti Ghulam Sarwar Qadri and

(3) Maulana Hafiz Salahuddin Yousaf.

(4) Maulana Saeed-ud-Din Sherkoti, however, stated that even lesser punishment could be given.

4. Maulana Subhan Mahmood relied upon Verses.9:65 and 66, 33:57, 49:2, 2:217, 5:75, 39:1, 65, 47:28. He has related some Ahadith and juristic opinions wherein the contemner has been considered an apostate. He has further relied upon a Hadith related on the authority of Abu Qulabah wherein the punishment of contemner has been prescribed as death. He has also relied upon the Hadith related by qazi Ayaz that Holy Prophet said "Kill the person who abuses the Prophet and whip the one who abuses his companions." He also relied upon Ahadith that the Holy Prophet had punished his

contemners w
consensus of
punishment o
maintained t
imprisonment
or a non-Muslin

5. Maulana Mufti
Verses 49:57,
2:104 of the H
that punishmer
contemner. He
the Holy Proph
also cited verse
the Holy Proph
point that repe
Reference was
prominent Ha
concluded tha
acceptable an
Jurists.

6. Maulana Hafi
views of Ha
contemner ca
not be given
verses of' H
Prophet, par
authority of I
the person w
view a Musli
so must be
opinion of Ib
contemner is
Imam Malik

7. Maulana M
other verses

ud-Din Sherkoti.

above, the following supported
e petitioner to say that sentence
ence for this offence:--

Mahmood.

Ghulam Sarwar Qadri.

alah uddin Yousaf.

mad Abdo-hu Al-Falah.

odul Shakoor and

adi.

g further stated that in case
by the offender the sentence

Mahmood.

ulam Sarwar Qadri and

ahuddin Yousaf.

-ud-Din Sherkoti, however,
punishment could be given.

mood relied upon Verses.9:65
2:217, 5:75, 39:1, 65, 47:28.
Ahadith and juristic opinions
er has been considered an
r relied upon a Hadith related
Abu Qulabah wherein the
ner has been prescribed as
d upon the Hadith related by
rophet said "Kill the person
et and whip the one who
s." He also relied upon
Prophet had punished his

contemners with death. He also referred to the consensus of opinion of the Jurists that the punishment of contemner is death. He further maintained that the punishment of life imprisonment can be given to a woman contemner or a non-Muslim contemner of the Holy Prophet.

5. Maulana Mufti Ghulam Sarwar Qadri, relied upon Verses 49:57, 9:65,66, 9:61-62, 58:8, 33:57, 4:65, 2:104 of the Holy Quran and some Ahadith to say that punishment of death only is prescribed for contemner. He also referred to the Ahadith wherein the Holy Prophet had pardoned his contemners. He also cited verses of Holy Quran and also Ahadith of the Holy Prophet to argue that they are clear on the point that repentance is acceptable in any offence. Reference was also made to the sayings of the prominent Hanfi Jurists specially Ibn Abidin and concluded that the repentance of the contemner is, acceptable and this is the preferred view of HanafI Jurists.

6. Maulana HafIZ Salahuddin Yousaf, relied upon the views of Hanfi Jurists that the repentance of the contemner can be accepted and thereafter he will not be given the punishment of death. He also cited verses of' Holy Quran and Ahadith of the Holy Prophet, particularly, a Hadith related on the authority of Ibn Abbas that Holy Prophet said, "Kill the person who changes his religion (Islam)." In his view a Muslim contemner becomes an apostate and so must be condemned to death. He also quoted opinion of Ibn Taimiyyah that the punishment of the contemner is death. He also relied upon the views of Imam Malik, Shafi and Ahmad to the same effect.

7. Maulana Muhammad Abdu-hu Al-Falah, among other verses relied upon Verse 4:46 of the Holy

Quran and Ahadith of the Holy Prophet wherein the Prophet has prescribed the punishment of death for his contemner. He further stated that there is consensus of the opinion among the Jurists on the point that the punishment of the contemner is death.

8. Maulana Syed Abdul Shakoor cited Verses 9:24,33:57 and 9:12. He also quoted Hadith of the Holy Prophet that the punishment of contemner is death and that he did punish his contemners with death. He further quoted views of different Jurists from the book Al-Fiqh ala Mazahibil Arb'a by Abdul Rehman Jazeeri, Vol. V, pages 274-275 and Raddul Mukhtar Vol. III pages 290-291.

9. Maulana Fazle Hadi, relied upon Verses 49:2, 33:57,28,58:22, 9:12, 9:65 and 66. He also cited some Ahadith of the Holy Prophet wherein the punishment of death has been prescribed for the contemner of the Prophet. He also quoted opinions of Jurists that the punishment of the contemner is death.

10. Maulana Saeed-ud-Din Sherkoti, quoted Verses 48:9, 49:2,3,53, 4:13, 2:187,229 and 33:57 of the Holy Quran. He also cited many of Ahadith wherein the Holy Prophet had punished his contemners with death as also he had pardoned some of his contemners. He also referred to many views of Jurists specially those described by Maulana Ashraf Ali Thanvi in his book Imdadul Fatawa Vol. V, pages 166-168.

11. Almost all the Jurisconsults have relied upon the following verses:-

"33:57 Lo! those who malign Allah and his Messenger, Allah hath cursed them in the world and

the Hereafter, and
of the disdained.

Explaining
"Everything which
of the Holy Pro
bearing different
under his malignr
VolXIV, page 23

Allama I
verse writes: "W
Prophet is mea
Prophet in fact,
glorification and
malignment o
malignment of

12. The next verses

"9:61-6
Prophet and sa
of good for yo
to the believe
believe. Those
them there is

"They
please you,
more right t
believers." (

Ibn T
writes: "Ver
the Prophet
Prophet"

(Assarimul

13. Ibn Taimiy
authority

: Holy Prophet wherein the
e punishment of death for
her stated that there is
among the Jurists on the
of the contemner is death.

Shakoor cited Verses
lso quoted Hadith of the
ishment of contemner is
ish his contemners with
iews of different Jurists
la Mazahibil Arb'a by
. V, pages 274-275 and
es 290-291.

ed upon Verses 49:2,
and 66. He also cited
Prophet wherein the
en prescribed for the
e also quoted opinions
t of the contemner is

koti, quoted Verses
29 and 33:57 of the
y of Ahadith wherein
his contemners with
oned some of his
to many views of
by Maulana Ashraf
ul Fatawa Vol. V,

ve relied upon the

lign Allah and his
n in the world and

the Hereafter, and hath prepared for them the doom of the disdained.

Explaining this verse Allama Qurtubi writes: "Everything which becomes a means of malignment of the Holy Prophet whether by quoting words bearing different meanings or similar actions comes under his malignment. (Al-Jamiu Liahkamil) Quran, VoIXIV, page 238)."

Allama Ismail Haqqi while explaining this verse writes: "With the malignment of Allah and his Prophet is meant only the malignment of the Prophet in fact, and mention of Allah is only for glorification and exaltation and to disclose that the malignment of the Prophet is indeed the malignment of Allah."

12. The next verses relied upon (9:61-62) is:-

"9:61-62 And of them are those who vex the Prophet and say: He is only a hearer. Say: A hearer of good for your, who believeth in Allah and is true to the believers, and a mercy for such of you as believe. Those who vex the Messenger of Allah, for them there is a painful doom."(9:61).

"They swear by Allah to you (Muslims) to please you, but Allah, with His Messenger, hath more right that they should please him if they are believers." (9:62).

Ibn Taimiyyah while explaining these verses writes: "Verse 9:62 denotes that the malignment of the Prophet is the opposition of Allah and His Prophet"

(Assarimul Maslool, pages-20-21)

13. Ibn Taimiyyah further writes: "It is related on the authority of Ibn Abbas that when a man from a

group of contemners came to the Prophet, he said to him "why you and your friends abuse me." That person went and brought his friends and they all swore in Allah and said that they have not abused him. On this the following verses were revealed:- (58:18)

"On the day when Allah will raise them all together, then will they swear unto him as they (now) swear unto you, and they will fancy that they have some standing. Lo! is it not they who are the liars? (58:18)

"The devil hath engrossed them and so hath caused them to forget remembrance of Allah. They are the devil's party. Lo! is it not the devil's party who will be the losers?

These verses are linked with Verse 58:20:- "Lo! those who oppose Allah and His messenger, they will be among the lowest."

14. Thus this link of the verses of the Holy Qur'an is obvious that these abusers and contemners of the Prophet are the opponents of Allah and His Prophet about whom the Qur'an says: "When thy Lord inspired the angels, (saying) I am with you. So make those who believe stand firm. I will throw fear into the hearts of those who disbelieve. Then smite their necks and smite of them each finger (8:12).

That is because they opposed Allah and His messenger. Whoso opposeth Allah and His messenger, (for him) Lo! Allah is severe in punishment. (8:13).

And if Allah had not decreed migration for them. He verily would have punished them in this

me to the Prophet, he said to
ur friends abuse me." That
ht his friends and they all
l that they have not abused
ing verses were revealed:-

n Allah will raise them all
swear unto him as they
d they will fancy that they
is it not they who are the

grossed them and so hath
embrance of Allah. They
is it not the devil's party

nked with Verse 58:20:-
llah and His messenger,
est."

s of the Holy Qur'an is
and contemners of the
f Allah and His Prophet
ays: "When thy Lord
;) I am with you. So
l firm. I will throw fear
disbelieve. Then smite
each finger (8:12).

pposed Allah and His
th Allah and His
Allah is severe in

lecreed migration for
unished them in this

world, and theirs in the Hereafter is the punishment of the Fire. (59:3)

That is because they were opposed to Allah and His messenger; and whoso is opposed to Allah (for him) verily Allah is stern in reprisal." (59:4)

So these verses clearly. Prescribe the severe punishment of death for the opponents of Allah and his Prophet, who include contemners of the Prophet.

15. The Holy Our'an further mentions in this regard:-

"If the hypocrites, and those in whose hearts is a disease, and the alarmists in the city do not cease. We verily shall urge thee against them, then they will be your neighbours in it but a little while. (33:60)

Accursed, they will be seized wherever found and slain with a (fierce) slaughter." (33:61).

These verses state that the punishment of these munafiqin (contemners) is death. (Ibid page 42)

16. The Holy Our'an has described the glorification and exaltation of the Prophet in another way and has ordered the Muslims to maintain it and be careful in this regard otherwise their good deeds will be rendered vain. Ouran says:-

"O ye who believe! Lift not up your voices above the voice of the Prophet, nor shout when speaking to him as ye shout one to another, lest your works to rendered vain while ye perceive not." (49:2).

Ibn Taimiyyah while explaining this verse writes "In this verse the believers have been prohibited from raising their voices over the voice

of the Prophet and that their loud voice before the Prophet may not render their good deeds as vain and they will not understand it.

17. It is obvious from different Verses of Our'an that infidelity and apostasy render actions of any person as vain. The Holy Our'an says:-

"They question thee (0 Muhammad) with regard to warfare in the sacred month. Say: Warfare therein is a great (transgression), but to turn (men) from the way of Allah, and to disbelieve in him and in the Inviolable place of Worship, and to expel his people thence, is a greater (sin) with Allah, for persecution is worse than killing. And they will not cease from fighting against you till they have made you renegades from your religion, if they can. And whoso becometh a renegade and dieth in his disbelief such are they whose works have fallen both in the world and the Hereafter. Such are rightful owners of the Fire: they will abide therein. (2:217).

This day are (all) good things made lawful for you. The food of those who have received the Scripture is lawful for you, and your good is lawful for them. And so are the virtuous women of those who received the Scripture before you (lawful for you) when ye give them their marriage portions and live with them in honour, not in fornication, nor taking them as secret' concubines, whose denieth the faith, his work is vain and he will be among the losers in the Hereafter. (5:5).

This is the guidance of Allah whereby he guideth whomsoever of his bondmen he listeth. And if they had associated, to naught would have come all that they were wont to work. (6:88).

their loud voice before the
r their good deeds as vain
and it.

rent Verses of Our'an that
ender actions of any person
says:-

thee (0 Muhammad) with
acred month. Say: Warfare
ression), but to turn (men)
d to disbelieve in him and
Worship, and to expel his
ter (sin) with Allah, for
killing. And they will not
t you till they have made
eligion, if they can. And
gade and dieth in his
hose works have fallen
he Hereafter. Such are
they will abide therein.

ood things made lawful
who have received the
nd your good is lawful
tuous women of those
before you (lawful for
marriage portions and
ot in fornication, nor
bines, whose denieth
he will be among the

of Allah whereby he
dmen he listeth. And
ht would have come
(6:88).

And verily it hath been revealed unto thee as unto those before thee (saying); If thou ascribe a partner to Allah thy work will fail and thou indeed will be among the losers. (39:65).

That is because they are averse to that which Allah hath revealed, therefore maketh he their actions, fruitless. (47:9).

18. In order to stop insinuations against the Prophet, Holy Our'an prohibited the believers to use ambiguous words as used by the jews for insulting the Prophet. The Holy Our'an says: "O ye who believe! say not (unto the Prophet):

"Listen to us" but say "Look upon us, and be ye listeners. For disbelievers is a painful doom." (2:104).

Maulana Muhammad Ali Siddiqui while explaining this verse, writes: "The Jews used this word as insult of the Prophet. The word 'raina has two meanings, good and bad. Its good meaning is "Be kind and attentive to us". The bad meaning is that jews spoke it Raeena which means "Oh! our shepher" and they used this word to degrade the Prophet. So it is an innuendo amounting to contempt of the Prophet. Therefore Muslims were prohibited to use this word so as to stop all the means which lead to the contempt of the Prophet.

19. The jews used the word 'raina' as raeena for defecting the religion (of Islam). Holy Quran says: "Some of those who are jews change words from their context and say: 'We hear and disobey; hear thou as one who heareth not' and 'Listen to us!' distorting with their tongues and slandering religion. If they had said: 'we hear and we obey; hear thou, and look at us' it had been better for

them, and more upright. But Allah hath cursed them for their disbelief, so they believe not save a few." (4:46).

Allama Qurtubi writes, "they Muslims were prohibited from speaking this word so as to stop the means leading to the contempt of the Prophet. The glorification and exaltation of Prophet is the base of the religion and thus depriving it is depriving the religion." (Maalimul Quran by Muhammad Ali Siddique Vol. I, pages 463-468)

20. It has been related on the authority of Abdullah Bin Abbas that a munafiq man named Bishar had a dispute wilh a jew in some matter. The jew told him to go to the Prophet for decision and the munafiq told him to go to Kaab Bin Ashraf. Anyhow they went to the Holy Prophet and the Prophet decided in favour of the Jew. The person (munafiq) was not willing on that decision and thus they brought the dispute before Hazrat Umar. The Jew told Hazrat Umar that Holy Prophet has already decided in my favour but this man was not willing on that. Then Hazrat Vmar said to munafiq: "Is this so". He said "Yes". Hazrat Umar went inside, got his sword and killed the munafiq and said, "I decide so for the person who does not agree to the decision of the Holy Prophet." On this Verse 4:65 was revealed which is as under:-

"By nay, by thy Lord, they will not believe (in truth) until they make thee judge, of what is in dispute between them and find within themselves no dislike of that which thou decides, and submit with full submission." (4:65)

(Ruhul Maani, Vol. V, page 67). This action of Hazrat Umar as approved by Holy Our'an is an

authority for the senten
the Holy Prophet.

21. The Holy Our'an has
contempt of the Prophe
may be. Holy Our'an
(O Muhammad) they v
jest. Say: Was it at Alla
messenger that ye did s

Make no excus
your (confession of) b
you, a party of you v
have been guilty." (9:6

22. Ibn Taimiyyah while e
"This text is on the
Allah, his verses and
the contempt is more
derived from this ve
Prophet becomes ap
page 31).

Abu Bakar Ib
verse writes, "the hyp
intentionally or as a
may be it is infidelity
words of infidelity
Qur'an, Vol. II, page

23. The Holy Qur'an, a
Prophet prohibited
annoyance and dec
wives of the Prophet
the believers so as t
contempt of the Pro
who believe! Enter
for a meal without
unless permission

t Allah hath cursed them
believe not save a few."

tes, "they Muslims were
is word so as to stop the
mpt of the Prophet. The
of Prophet is the base of
ving it is depriving the
n by Muhammad Ali
68)

thority of Abdullah Bin
named Bishar had a
natter. The jew told him
cision and the munafiq
Ashraf. Anyhow they
the Prophet decided in
on (munafiq) was not
thus they brought the
The Jew told Hazrat
already decided in my
willing on that. Then
: "Is this so". He said
ide, got his sword and
"I decide so for the
o the decision of the
se 4:65 was revealed

they will not believe
e judge, of what is in
nd within themselves
decides, and submit

page 67). This action
by Holy Our'an is an

authority for the sentence of death for contempt of the Holy Prophet.

21. The Holy Our'an has further declared that the contempt of the Prophet is apostasy in any form it may be. Holy Our'an says: "And if thou ask them (O Muhammad) they will say: We did but talk and jest. Say: Was it at Allah and his revelations and his messenger that ye did scoff? (9:65).

Make no excuse. Ye have disbelieved after your (confession of) belief. If we forgive a party of you, a party of you we shall punish because they have been guilty." (9:66)

22. Ibn Taimiyyah while explaining these verses writes, "This text is on the point that cutting jokes with Allah, his verses and His Prophet is infidelity. So the contempt is more liable to be infidelity as is derived from this verse that he who insults the Prophet becomes apostate." (Assarimul Maslul, page 31).

Abu Bakar Ibn Arabi while explaining this verse writes, "the hypocrites spoke this word either intentionally or as a Joke and whatever the case may be it is infidelity because making joke with the words of infidelity is also infidelity. (Ahkmul Qur'an, Vol. II, page 964)

23. The Holy Qur'an, as a glorification of the Holy Prophet prohibited even the slightest cause of annoyance and declared that marriage with the wives of the Prophet after his death is prohibited for the believers so as to avoid not being means of the contempt of the Prophet. Holy Quran says: "O ye who believe! Enter not the dwellings of the Prophet for a meal without waiting for the proper time, unless permission be granted you. But if ye are

invited enter and when your meal is ended, then disperse. Linger not for conversation. Lo! that would cause annoyance to the Prophet, and he would be shy of (asking) you (to go); but Allah is not shy of the truth. And when ye ask of them (the wives of the Prophet) anything, ask it of them from behind a curtain. That is purer of your hearts and for their hearts. And it is not for you to cause annoyance to the messenger of Allah, nor that ye should, ever marry his wives after him. Lo! that in Allah's sight would be an enormity. (33:53)."

24. The Holy Prophet is the best interpreter of the above-noted verses of the Holy Qur'an and it is also proved by ,his Sunnah that his contemner is liable to the penalty of death. Reference may be made to the following Ahadith:-

(i) It has been related on the authority of Hazart Ali that Holy Prophet said: "Kill the person who abuses a Prophet and whip by stripes the one who abuses my companions." (Al-Shifa; Qazi, Ayaz Vol.II, page 194).

(ii) It has been related on the authority of Ibn Abbas that a blind person in the period of Holy Prophet had a female slave who used to abuse the Holy Prophet. This blind person bade her to abstain from it and warned her not to do so but she didn't care. One night when she was as usual abusing the Holy Prophet, this blind person took a knife and attacked her belly and killed her. Next morning when the case of murder of this woman was referred, to the Holy Prophet, he collected the people and said, "who has done this job. Stand and confess because of my right on him for what he has done." On this

the blind person st
people before the
Prophet, I have
because she abuse
forbade her but sl
have two beautifu
was my very good
when she started
knife and attacked
her." The Holy
witnesses that the
vain." (Abu Daud,

(iii) It has been related
Ali that a jew wom
Prophet and thus
Holy Prophet decla

(iv) It has been relatec
Barzah who said,
Bakar when he be
I said to him, "O
Allah. "Order me
became normal
inside and called
you say? I said, "
said, "Had I orde
killed him?" I sai
swear by Allah t
Holy Prophet is
contemner be kille

(v) It has been relate
Ibn Abdullah that
will help me aga
has indeed teasec
On this Muhamm
and said, "O Prop

ur meal is ended, then
conversation. Lo! that
the Prophet, and he
ou (to go); but Allah is
nen ye ask of them (the
ng, ask it of them from
er of your hearts and for
ot for you to cause
r of Allah, nor that ye
s after him. Lo! that in
ormity. (33:53)."

best interpreter of the
ly Qur'an and it is also
s contemner is liable to
ce may be made to the

the authority of Hazart
t said: "Kill the person
et and whip by stripes
my companions." (Al-
l.II, page 194).

n the authority of Ibn
erson in the period of
female slave who used
phet. This blind person
om it and warned her
didn't care. One night
ual abusing the Holy
erson took a knife and
and killed her. Next
ase of murder of this
o the Holy Prophet, he
nd said, "who has done
onfess because of my
he has done." On this

the blind person stood and came rolling the people before the Holy Prophet and said, "O Prophet, I have killed this slave woman because she abused you. I have constantly forbade her but she didn't care for that. I have two beautiful sons from her and she was my very good companion, but yesterday when she started abusing you, I took my knife and attacked on her belly and killed her." The Holy Prophet said, "O people! witnesses that the blood of this woman is vain." (Abu Daud, Vol.II, pages 355-357).

(iii) It has been related on the authority of Hazrat Ali that a jew woman used to abuse the Holy Prophet and thus a person killed her. The Holy Prophet declared her blood as vain.

(iv) It has been related on the authority of Abu Barzah who said, "I was sitting with Abu Bakar when he became furious at a person." I said to him, "O! Caliph of the Prophet of Allah. "Order me to kill him". On this' he became normal and stood up and went inside and called me and said, "What did you say? I said, "Order me to 'kill him." He said, "Had I ordered you, would you have killed him?" I said, "Yes." He said, "No," I swear by Allah that no one other than the Ho\y Prophet is in the position that his contemner be killed."

(v) It has been related on the authority of Jabir Ibn Abdullah that Holy Prophet said, "who will help me against Kaab bin Ashraf. He has indeed teased Allah and His Prophet." On this Muhammad Ibn Maslamah stood and said, "O Prophet of Allah! do you want

me to kill him." Prophet said, "Yes". Then he went alongwith Abbas Ibn Hiber and Ibad Ibn Bishar and killed him. (Bukhari, Vol.II, page 88).

(vi) It has been related on the authority of Bara Ibn Azib who said that Holy Prophet sent some persons of Ansar under the headship of Abdullah Ibn Atik to a jew named Abu Rafia who used to tease the Holy Prophet and they killed him. (Assarimul Maslul by Ibn Taimiyyah, page 152).

(vii) It has been related on the authority of Umair Ibn Umayyah that he had a 'mushrik' sister who teased him when he met the Holy Prophet and used to abuse the Holy Prophet. At last one day he killed her with his sword. Her sons cried and said, "We know her murderers who killed our mother and the parents of these people are 'mushrik', (infidels)." When Umair thought that her sons may not murder wrong persons, he came to the Holy Prophet and informed him of the whole situation. The Prophet said to him, "Have you killed your sister?" He said, "Yes." Prophet said, "Why" He said that she was harming me in your relation. The Prophet called her sons and asked about the murderers. They showed other persons as murderers. Then Prophet informed them and declared her death as vain. (Majmauz Zawaid wa Manbaul Fawaid, Vol. V, page 260).

(viii) It has been narrated that after the conquest of Makka, the Holy Prophet, after giving general pardon, ordered killing of Ibn Khatal

and his she-slaves
defamatory poems a
(Al-Shifa by Qazi A
Urdu Translation).

(ix) It has been narrated
that a person abuse
Prophet said to Sah
person." On this Kh
will kill him." The
he killed him (ibid).

(x) It has been narrate
the Holy Prophet an
father abused you a
killed him." The Ho
action."(ibid), page

(xi) It has also been rel
belonged to Bani
abuse the Holy Pr
said to his compa
revenge from this
person of her tribe
and killed her. He
Prophet who said "
will not quarrel an
unity and integrity."

25. Abdur Razaq in his Mu
following Traditions about
Prophet and its punishment

(i) Hadith No.9704: It
authority of Ikrimal
Holy Prophet. The
will help me aga
Zubair said, "I".

m." Prophet said, "Yes". Then
ngwith Abbas Ibn Hiber and
har and killed him. (Bukhari,
8).

elated on the authority of Bara
o said that Holy Prophet sent
of Ansar under the headship
Ibn Atik to a jew named Abu
ed to tease the Holy Prophet
ed him. (Assarimul Maslul by
n, page 152).

ated on the authority of Umair
that he had a 'mushrik' sister
im when he met the Holy
sed to abuse the Holy Prophet.
y he killed her with his sword.
ed and said, "We know her
o killed our mother and the
hese people are 'mushrik',
hen Umair thought that her
murder wrong persons, he
oly Prophet and informed him
situation. The Prophet said to
u killed your sister?" He said,
said, "Why" He said that she
me in your relation. The
her sons and asked about the
ey showed other persons as
n Prophet informed them and
death as vain. (Majmauz
anbaul Fawaid, Vol. V, page

rated that after the conquest
Holy Prophet, after giving
ordered killing of Ibn Khatal

and his she-slaves who used to compose defamatory poems about the Holy Prophet. (Al-Shifa by Qazi Ayaz, Vol. II, page 284 Urdu Translation).

(ix) It has been narrated by Qazi Ayaz in Shifa that a person abused the Holy Prophet The Prophet said to Sahaba "Who will kill this person." On this Khalid Ibn Walid said, "In will kill him." The Prophet ordered him and he killed him (ibid).

(x) It has been narrated that a person came to the Holy Prophet and said, "Oh Prophet! My father abused you and I couldn't bear it thus killed him." The Holy Prophet confirmed his action."(ibid), page 285).

(xi) It has also been related that a woman who belonged to Bani Khatmah tribe used to abuse the Holy Prophet The Holy Prophet said to his companions, "who will take revenge from this abusive woman." A person of her tribe took the responsibility and killed her. He then came to the Holy Prophet who said "In this tribe the two goats will not quarrel and the people will live in unity and integrity." (ibid), page 286).

25. Abdur Razaq in his Musannaf has related the following Traditions about the contempt of the Holy Prophet and its punishment:

(i) Hadith No.9704: It has been related on the authority of Ikrimah that a person abused the Holy Prophet. The Holy Prophet said, "who will help me against my (this) enemy." Zubair said, "I". Then he (Zubair) fought

with him and killed him. The Holy Prophet gave him this goods.

(ii) Hadith No.9705: It has been related on the Authority of Urwah Ibn Muhammad (who relates from a companion of the Prophet) that a woman used to abuse the Holy Prophet. The Holy Prophet said, "who will help me against my (this) enemy." On this Khalid Ibn Walid went after her and killed her.

(iii) Hadith No.9706: It has been related on the authority of Abdur Razaq who relates from his father that when Ayub Ibn Yahya went to Adnan, a man was referred to him who had abused the Holy Prophet. He consulted (the Ulama) in this matter. Abdur Rahman Ibn Yazid Sanani advised him to kill him and he killed him. Abdur Rahman had related to him a hadith in this regard that he had met/Omar and had got a great knowledge from him. Ayub also referred this action to Abdul Malik (or Walid Ibn Abdul Malik). He replied him appreciating his action.

(iv) Hadith No.9707: It has been related on the authority of Saeed Ibn Jubair that a person falsified the Holy Prophet (p.b.u,h.). The Prophet sent Ali and Zubair and said to them, "kill him when you find him.

(v) Hadith No.9708:Ithas been related on the authority of Ibn Taimi who relates from his father that Hazrat Ali ordered the person who blamed (abused) the Holy Prophet be

killed. (Musa
pages 377-378

26. It is pertinent to menti
pardoned some of h
concur that Prophet h
his contemners but t
his contemners. (Assa
pages 222-223).

27. Ibn Taimiyyah writ
said, "When the cont
Muslim then his puni
difference of the opi
this matter in my kn
page 4).

28. Qazi Ayaz writes, '
point that the punish
the Holy Prophet o
Shifa, Vol.II, page 4

Qazi Ayaz f
abuses Holy Prophe
his lineage, his relig
makes with him o
thing as his insult, d
or his defect, he is c
and there is consen
this point from the
(Al-Shifa By Oazi A

29. Abu Bakar Jassas
difference of opini
Muslim who malig
intentionally becon
(Ahkamul Quran
useful to note one H

illed him. The Holy Prophet
ods.

: It has been related on the
rwah Ibn Muhammad (who
companion of the Prophet)
used to abuse the Holy
oly Prophet said, "who will
my (this) enemy." On this
id went after her and killed

: It has been related on the
lur Razaq who relates from
hen Ayub Ibn Yahya went
n was referred to him who
Holy Prophet. He consulted
his matter. Abdur Rahman
ii advised him to kill him
him. Abdur Rahman had
hadith in this regard that he
and had got a great
him. Ayub also referred
bdul Malik (or Walid Ibn
e replied him appreciating

It has been related on the
d Ibn Jubair that a person
y Prophet (p.b.u,h.). The
and Zubair and said to
hen you find him.

Ithas been related on the
aimi who relates from his
it Ali ordered the person
sed) the Holy Prophet be

killed. (Musannaf Abdur Razaq, Vol.V, pages 377-378).

26. It is pertinent to mention here that Holy Prophet had pardoned some of his contemners but the Jurists concur that Prophet himself had the right to pardon his contemners but the Ummah has not to pardon his contemners. (Assarumal Maslul, Ibn Taimiyyah, pages 222-223).

27. Ibn Taimiyyah writes, "Abu Sulaiman Khattabi said, "When the contemner of the Holy Prophet is a Muslim then his punishment is death and there is no difference of the opinion among the Muslims about this matter in my knowledge." (Assarimul Maslul, page 4).

28. Qazi Ayaz writes, "Ummah is unanimous on the point that the punishment of a Muslim who abuses the Holy Prophet or degrades him is death. (Al-Shifa, Vol.II, page 4).

Qazi Ayaz further writes, "Every one who abuses Holy Prophet, points out any defect in him, his lineage, his religion or in any of his qualities, or makes with him or resembles him with another thing as his insult, disrespect, degradation, disregard or his defect, he is contemner and he will be killed, and there is consensus of the ulema and Jurists on this point from the period of Sahaba till this time. (Al-Shifa By Oazi Ayaz, Vol.II, page 214).

29. Abu Bakar Jassas Hanafi writes, "There is no difference of opinion among the Muslims that a Muslim who maligns or insults the Holy Prophet intentionally becomes apostate liable for death. (Ahkamul Quran Vol.III, page 106). It will be useful to note one Hadith here:-

"It has been related on the authority of Abdullah Ibn Abbas that Prophet said. "Kill the person who changes his religion (Islam)." (Bukhari, Vol.II, page 123).

30. It has been related by Qazi Ayaz that Haroonur Rashid asked Imam Malik about the punishment of the contemner of the Prophet and told him that some Jurists of Iraq had suggested the punishment of whipping him stripes. Imam Malik became furious on that and said, "O Amir ul Muainin! How the Ummah has the right to exist when her Prophet is abused. So kill the person who abuses the Prophet and whip stripes to one who abuses the companions of the Prophet." (Al-Shifa, Vol.II, page 215).

31. Ibn Taimiyyah, while relating the opinions of the Jurists in this connection, writes, "Abu Bakar Farsi Shafie has related that there is consensus of opinion among the Muslims that the punishment of contemner of the Prophet is death, if he is Muslim." (Assarimul Maslul, page 3).

32. The above discussion leaves no manner of doubt that according to Holy Quran as interpreted by the Holy Prophet and the practice ensuing thereafter in the Ummah, the penalty for the contempt of the Holy Prophet is death and nothing else. We have also noted that no one after the Holy Prophet exercised or was authorised the right of reprieve or pardon. The next question arising in the case is thus to specify or clearly define the offence of contempt of the Holy Prophet.

33. The words (Shitm-e-Sub) and (Aza) have been used for the contempt of the Prophet in Holy Qur'an and Sunnah. (Sub) means to suffer, to harm, to molest, to contemn, to insult, to annoy, to irritate, to injure,

to put to trouble
(Arabic English
page 44). The
abuse, to revile,
pages 212, 249).

Allama
meaning of th
anything with
living person i
Manar, Vol.X,

Allama
contempt of th
curse the Prop
or refers to suc
his position
unreasonable
blames him
(Aasarinul Ma

34. Ibn Taimiyya
about the sco
the contempt
word in a situ
while such a
insult on ar
interpretatio
meanings ar
circumstanc
(insult, con
Shariah nor
be relied up
what is co
custom and
and insult
(Assarimul

:ed on the authority of
Prophet said. "Kill the
ligion (Islam)." (Bukhari,

'azi Ayaz that Haroonur
about the punishment of
ophet and told him that
uggested the punishment
. Imam Malik became
O Amir ul Muainin! How
o exist when her Prophet
n who abuses the Prophet
o abuses the companions
Vol.II, page 215).

ing the opinions of the
rites, "Abu Bakar Farsi
is consensus of opinion
t the punishment of
death, if he is Muslim."

es no manner of doubt
n as interpreted by the
ce ensuing thereafter in
r the contempt of the
nothing else. We have
ter the Holy Prophet
he right of reprieve or
sing in the case is thus
e offence of contempt

(Aza) have been used
et in Holy Qur'an and
r, to harm, to molest,
, to irritate, to injure,

to put to trouble, to malign, to degrade, to scoff. (Arabic English lexicon, E.W. Lane, Book-I, Part-I page 44). The word (Shitm) means to insult, to abuse, to revile, to scold, to curse, to defame. (Ibid., pages 212, 249).

Allama Rashid Raza, while explaining the meaning of the word (Aza) writes, "It means anything with which the body or the mind of a living person is pained though very lightly." (Al-Manar, Vol.X, page 445).

Allama Ibn Taimiyyah, while explaining the contempt of the holy Prophet writes, "It means to curse the Prophet, prays for any difficulty for him, or refers to such a thing which does not behave with his position or uses any insulting, false and unreasonable words or imputes ignorance to him or blames him with any human weakness etc." (Aasarinul Maslul, Ibn Taimiyyah, page 526).

34. Ibn Taimiyyah, while concluding the discussion about the scope and what constitutes the offence of the contempt of the Prophet writes, "Sometimes a word in a situation may amount to injury and insult while such a word may not amount to injury and insult on another occasion. This shows that the interpretation of the words which bear different meanings and senses changes with the change of circumstances and occasions. And when (Sub) (insult, contempt) has neither been defined in Shariah nor in dictionary, the custom and usage will be relied upon in determining its interpretation. So what is considered contempt and insult in the custom and usage that will be considered contempt and insult in Shariah as well and vice versa." (Assarimul Maslul, Ibn Taimiyyah, page 540).

35. Criminal liability may require the wrongful act to be done intentionally or with some further wrongful purpose in mind, or it may suffice that it was done recklessly; and in each case the mental attitude of the doer is such as to make punishment effective. If a person intentionally chose the wrong doing, penal discipline will furnish him with a sufficient motive to choose the right instead, for the future. If, on the other hand, he committed the forbidden act without wrongful intent, yet realising the possibility of the harmful result, punishment may be an effective inducement to better conduct in the future.

36. Yet there are other cases in which, for sufficient or insufficient reasons, the law is content with a lower form of mens rea. This is the case with crimes of negligence. A person may be held responsible for some crimes if he did not do his best as a reasonable man to avoid the consequence in question. In another case the law may go even beyond this; holding a man responsible for his acts, independently altogether of any wrongful state of mind or culpable negligence. Wrongs which are thus independent of fault may be distinguished as wrongs of strict liability.

37. The wrongs thus are of three kinds:-

(1) Intentional or Reckless Wrongs, in which the mens rea amounts to intention, purpose, design, or at least foresight.

(2) Wrongs of Negligence, in which the mens rea assumes the less serious form of mere carelessness, as opposed to wrongful intent or foresight. With these wrongs defences such as mistake will only negative mens rea if the mistake itself is not negligent.

(3) Wrongs of
mens rea is
intent nor
recognised
responsibilit
mistake are

38. An intention thus
which an act is do
intention may be t
in self-defence or
death. However, i
shooting for defen
can be said to be
him.

39. An unintentional
design. An act su
cause and an effe
actor brings abou
intend. One may
or wrongly ima
the former c
consequences, i
the circumstanc

40. A system of law
be held liable
he did not inte
would obviate
the mental
important, the
that a man sh
involve conse
not he intend
clearly reckle
be justified b
itself.

he wrongful act to be
me further wrongful
fice that it was done
e mental attitude of
ishment effective. If
wrong doing, penal
a sufficient motive
he future. If, on the
rbidden act without
e possibility of the
y be an effective
ne future.

h, for sufficient or
ntent with a lower
se with crimes of
d responsible for
st as a reasonable
in question. In
en beyond this;
for his acts,
rongful state of
ongs which are
distinguished as

ngs, in which
ntion, purpose,

hich the mens
form of mere
rongful intent
ngs defences
tive mens rea
gent.

(3) Wrongs of Strict Liability, in which the mens rea is not required, neither wrongful intent nor culpable negligence being recognised as a necessary condition of responsibility; and here defences like mistake are of no avail.

38. An intention thus is the purpose or design with which an act is done. Suppose one buys a gun. His intention may be to shoot for sport or game, to use in self-defence or to shoot some one to cause his death. However, if the latter act is proved as not shooting for defence but as killing then the intention can be said to be to do this very thing i.e. to kill him.

39. An unintentional act is one lacking such purpose or design. An act such as killing, which consists of a cause and an effect, may be unintentional when the actor brings about consequences which he does not intend. One may kill by mistake say firing at a game or wrongly imagining him to be someone else. In the former cases he fails to foresee the consequences, in the latter he is ignorant of some of the circumstances.

40. A system of law, however, could provide that a man be held liable for such consequences, even though he did not intend them. In the first place, such a rule would obviate the need for difficult inquiries into the mental element. But secondly, and more important, the rule could be justified on the ground that a man should not do acts which he foresees will involve consequential harm to others, whether or not he intends to cause this harm. Such behaviour is clearly reckless or blameworthy, unless the risk can be justified by reason of the social interest of the act itself.

41. Both in this special connection and generally, then it is to be observed that the law may, and sometimes does, impute liability, outside the strict definition of intention, for what is called constructive intention. Consequences which are in fact the 'outcome of negligence merely are sometimes in law dealt with as intentional. Thus he who intentionally does grievous bodily harm to another, though with no desire to kill him, or certain expectation of his death, is guilty of murder if death ensues.

42. Law frequently, though by no means invariably, treats as intentional, all consequences due to that form of negligence which is distinguished as recklessness that is to say, which the actor foresees as the probable results of his wrongful act. The foresight of the reasonable man is of course an obviously useful evidential test, whereby to infer, what the actor himself foresaw, but the rule just mentioned has transformed it into a presumption of law which cannot, it seems, be rebutted. Intention thus covers acts expressly intended or those done recklessly.

43. In the Shariah, it makes no difference whether the criminal intent precedes the offence or synchronizes with it. In either case the penalty is identical. This principle is substantiated by the following Tradition of the Holy Prophet:-

"Allah condones all those sinister ideas coming into the minds of the members of my Ummah which they have not expressed or put into practice."

That is why the Shariah draws no line of distinction between homicide or infliction of injury decided upon beforehand and unpremeditated

homicide or inju
penalty in bot
punishment for
premeditated or n

44. The intention ma
intention of an of
indefinite person
If the offender is
of his act and doe
those results his
indefinite result
whatever the res
and the Hamblit
Shafi'ee Schoo
definite and in
including homic
results in homic
not his intenti
victim.

Further,
the offender ar
the Jurists plac
on equal footi
same injunctio
homicide and

45. The Shariah h
criminal inter
its very beg
bearing of t
pattern of the
it. Thus, it m
motive of
retaliation, f
the indignity

on and generally, then
v may, and sometimes
the strict definition of
onstructive intention.
fact the 'outcome of
nes in law dealt with
intentionally does
her, though with no
expectation of his
th ensues.

means invariably,
quences due to that
s distinguished as
h the actor foresees
wrongful act. The
n is of course an
whereby to infer,
but the rule just
a presumption of
ebutted. Intention
led or those done

ence whether the
e or synchronizes
is identical. This
lowing Tradition

sinister ideas
embers of my
ssed or put into

aws no line of
ction of injury
unpremeditated

homicide or injury and c lays down identical penalty in both the cases. The prescribed punishment for murder is 'qisas' whether it is premeditated or not.

44. The intention may be definite or indefinite. The intention of an offender to do a definite wrong to an indefinite person will be regarded as definite intent. If the offender is conscious of the potential results of his act and does intend to produce all or some of those results his offence would in spite of its indefinite results be treated as a definite act, whatever the results produced by it. The Hanafites and the Hamblites as well as some Jurists of the Shafi'ee School do not differentiate between definite and indefinite intents in criminal cases including homicide. Hence if the act of the offender results in homicide he is a wilful killer whether or not his intention of murder involves a definite victim.

Further, in determining the accountability of the offender and the sort of offence he is guilty of, the Jurists place both definite and indefinite intents on equal footing and regard them as subject to the same injunction except when the offence consists of homicide and the criminal intent is indefinite.

45. The Shariah has kept in view the difference between criminal intent and the motive of crime, right from its very beginning but has not admitted of the bearing of the motive on the commission and pattern of the crime and the punishment entailed by it. Thus, it matters little in the Shariah whether the motive of offence is noble, just as killing, in retaliation, for the murder of one's next of kin or for the indignity suffered at the hands of the victim, or

whether the motive is ignoble just as killing in lieu of pecuniary compensation or to commit larceny.

46. In other words, the motive of crime has nothing to do with the criminal intent; nor does it affect the pattern of crime or its punishment. So it is practically possible to reject the effect of motive so far as the 'hadd', 'qisas' offences are concerned but it is not so in the case of penal punishment. The motive does not affect the 'hadd' or 'qisas' offences because the law-maker has confined the powers of the Court to the prescribed punishments, admitting of no consideration of the motive behind the commission of offences. But in the case of 'tazeer' punishments the law-maker empowers the Court to determine the quantum of penalty and choose the kind of penalty so that it may be possible for the Court to take into account the motives of offences in the determination of the quantum of punishment.

47. In other words the difference between the man made laws in force and the Islamic Shariah is that the latter does not recognize the effect of motives in the case of offences which are categorised as 'Hudood' or 'Qisas' but in the case of other offences, there is nothing in the Shariah inhibiting the Court to take into account the motive of crimes although it docs not theoretically admit of its effect on punishment.

48. It will be seen from the above discussion that Shariah recognises an offence liable to Hadd only if it is accompanied by an express intention. Shariah also waives the penalty of Hadd if any doubt occurs therein. It is also based on a Tradition of the Holy Prophet that doubts dispel sentences of Hadd.

49. So the wrongs of the
above will attract th
apply to the conte
Further, as intention i
surrounding the even
and third categories
Hadd, provided the
intended to commit t
words said, gesture
ambiguous or they c
mind or malice. We
in an alleged offe
Prophet, would be a
accused had no gu
penalty will be disp
the reason that peni
contempt.

The Holy Qur'an sa

"33:5 And
mistakes that ye
your hearts purpo
Allah is forgiving,

"6:54 Wh
believe in Our Sig
Lord had inscribe
verily, if any of
thereafter repente
He is Oft-Forgivi

"16:106 A
in Allah, utters u
His heart remaini
their breast to u
Allah, and theirs

ust as killing in lieu
commit larceny.

rime has nothing to
r does it affect the
shment. So it is
effect of motive so
s are concerned but
l punishment. The
or 'qisas' offences
ned the powers of
hments, admitting
otive behind the
e case of 'tazeer'
wers the Court to
/ and choose the
possible for the
tives of offences
of punishment.

tween the man
Shariah is that
ct of motives in
categorised as
case of other
ariah inhibiting
otive of crimes
nit of its effect

liscussion that
o Hadd only if
ntion. Shariah
/ doubt occurs
n of the Holy
Hadd.

49. So the wrongs of the first category only in para.37 above will attract the penalty of Hadd and it will apply to the contemner of the Holy Prophet. Further, as intention is to be gathered from the facts surrounding the event, the acts falling in the second and third categories will not attract the sentences of Hadd, provided the accused shows that he never intended to commit the offence and is penitent if the words said, gesture made or the act done were ambiguous or they could show some straits of guilty mind or malice. We may also clarify that penitence, in an alleged offence of contempt of the Holy Prophet, would be availed to show that mind of the accused had no guilty straits or malice and the penalty will be dispelled on that account and not for the reason that penitence can wipe out an intended contempt.

The Holy Qur'an says:

"33:5 And there is no sin for you in the mistakes that ye make unintentionally, but what your hearts purpose (that will be a sin for you), Allah is forgiving, merciful."

"6:54 When those come to thee who believe in Our Signs, Say: "Peace be on you; Your Lord had inscribed for Himself (the rule of) Mercy: verily, if any of you did evil in ignorance, and thereafter repented and amended (His conduct), lo! He is Oft-Forgiving, Most Merciful."

"16:106 Anyone who, after accepting faith in Allah, utters unbelief, except under compulsion, His heart remaining firm in faith but such as open their breast to unbelief, on them is Wrath from Allah, and theirs will be a dreadful penalty."

"40:19 (Allah) knows of (the tricks) that deceive with the eyes, and all that hearts (Of men) conceal."

50. It has been related on the authority of Hazrat Umar that he heard the Prophet say "the reward of deeds depends upon the intention and every person will get the reward according to what he had intended. So whoever emigrated for worldly benefits or for a woman to marry, his emigration was for what he emigrated for." (Bukhari, Vol.I, page 1, Hadith No.1).

51. It has been related on the authority of Ubaye Ibn Ka'b who said, "There was a person among the Ansar whose house was situated at the farthest end of Madina, but he never missed any prayer along with the Messenger of Allah. We felt pity for him and said to him: 0, so and so, why don't you buy a house near the Prophet's house so as to save you from the troubles of the heat and the coming from a long distance. He said: Listen! by Allah, I do not like my house to be situated by the side of Muhammad. I took (these words of his) ill and came to the Apostle of Allah and informed him about (these words). He (the Holy Prophet) called him and he said exactly like that (which he had mentioned to Ubbay Ibn Ka'b) but made a mention of this also) that he wanted a reward for his steps. Upon this the Apostle of Allah said: in fact for you is the reward which you intend. (Muslim, Vol. I, English Translation by Abdul Hameed Siddiqui, pages 323-324, Hadith No. 1404). The above Tradition clearly shows that on the face of it the words said sounded contemptuous but that was not the intention of the ulterer and so he was absolved of any penalty.

52. It has been related
Sayyed that the Apos
grave was being du
looked down into t
sleeping place of a
retorted: What a bad
explained: I have n
fight in the way
Apostle of Allah sa
death in the way of
land in the world in
(Mishkat, Vol.III
Translation by Fazl

53. It is relevant to mer
the words uttered
Prophet is not an
malicious action
speaking loudly h
Prophet. The Holy
Raise not your voic
nor speak aloud t
aloud to one anoth
and ye perceive
Allama Qurtubi wh
"this is the prohibi
voice over the v
injured him. Howe
done for the cause
enemy etc.

54. Allama Alusi, whi
"When this verse
whose voice was
and closed his do
didn't attend the
long time, the H

ɔws of (the tricks) that
all that hearts (Of men)

ıuthority of Hazrat Umar
ay "the reward of deeds
ı and every person will
o what he had intended.
worldly benefits or for a
gration was for what he
Vol.I, page 1, Hadith

authority of Ubaye Ibn
as a person among the
uated at the farthest end
nissed any prayer along
h. We felt pity for him
o, why don't you buy a
ouse so as to save you
t and the coming from a
ten! by Allah, I do not
uated by the side of
ords of his) ill and came
d informed him about
Prophet) called him and
ch he had mentioned to
a mention of this also)
his steps. Upon this the
t for you is the reward
im, Vol. I, English
d Siddiqui, pages 323-
above Tradition clearly
he words said sounded
ot the intention of the
d of any penalty.

52. It has been related on the authority of Yahya Ibn Sayyed that the Apostle of Allah was seated while a grave was being dug at Madina. A man suddenly looked down into the grave and said: Bad is the sleeping place of a believer. The Apostle of Allah retorted: What a bad thing you have said! The man explained: I have not meant that, but I meant that fight in the way of Allah (is better). Then the Apostle of Allah said thrice: There is nothing like death in the way of Allah. There is no other tract of land in the world in which I would prefer my grave. (Mishkat, Vol.III, pages 662-663, English Translation by Fazlul Karim, Hadith No. 575).

53. It is relevant to mention here that the mere fact that the words uttered sounded contemptuous of the Prophet is not an offence until it is based on malicious action or degration. For example, speaking loudly has been prohibited before the Prophet. The Holy Quran says, "O ye who believe! Raise not your voice above the voice of the Prophet nor speak aloud to him in talk, as ye may speak aloud to one another, lest your deeds become void and ye perceive not." (49:2). In this connection Allama Qurtubi while explaining Verse 49:2 writes, "this is the prohibition of shouting and raising the voice over the voice of Prophet which actually injured him. However, it will be no offence if it is done for the cause of battle or for frightening the enemy etc.

54. Allama Alusi, while explaining Verse 49:2 writes, "When this verse was revealed Sabit Ibn Qais whose voice was naturally loud, went to his house and closed his door and started weeping. When he didn't attend the gatherings of the Prophet for a long time, the Holy Prophet enquired about him.

The companions said to the Prophet that he had closed the door of his house and is weeping inside the house. The Holy Prophet called him and asked him, "What happened to you, He said, 'O Prophet! when this verse was revealed, having loud voice; I feared that I may not be one of those whose good deeds will be rendered vain." The Holy Prophet said to him, "you are not among them. You will live with blessings and die with blessings." According to Hassan it was based on the ground that his loud voice was a natural thing because he was dumb and mostly dumbs speak with loud voice, was not meant to degrade or insult the Holy Prophet as that of the hypocrites about whom this verse was revealed." (Ruhul Manni, Vol.XXVI, pages 12-125).

55. Allama Alusi further writes, "their shouting before the Prophet is of two kinds: (i) which does not amount to rendering the good deeds vain (ii) which amounts to rendering the good deeds vain. The first is not based on malicious and insulting action as in case of shouting and speaking with loud voice in battles, quarreling with opponents of injury or insult as Prophet ordered on the day of the battle of Hunain to Hazrat Abbas to call the people with loud voice and he called people with such a loud voice that all the pregnant women delivered their pregnancies By that. And the second is based on malicious and insulting actions as was done by the hypocrites and infidels. (Ibid).

56. Qurtubi writes that the last portion of this verse was revealed about a person who said, "I will marry Hazrat Aisha after the death of the Prophet." When Prophet was informed he was greatly injured by that. At this occasion this verse was revealed which prohibited marrying with the wives of Prophet for

ever and the Holy Prophe
world will be my wives
before the revelation o
practically happened that
divorced a wife named
with Ikrima Ibn Abu Jaha
she married with Ibn Qais
that time it was not a so
Prophet in their mind by
after his death as it had nc
page 230).

57. The Holy Prophet didn't p
Hamnah who had actu
accusation of Hazrat Ais
declare them as hypo
explaining that position
intended the injury of the
any sign of that, while Ib
injury. This was because a
told to them that the wi
world will be his wive
possible about their wives
this reason that Holy P
matter and consulted Al
from Barirah and consequ
who didn't intend the
hypocrites on the possibil
Prophet might have divo
after the order that his w
his wives hereinafter and
of the believers, their
injury of the Prophet
Maslul, ala Shatimir Rasu

58. Maulana Ahmad Yar
"intention" of the cor

: Prophet that he had
and is weeping inside
called him and asked
, He said, 'O Prophet!
l, having loud voice; I
: of those whose good
The Holy Prophet said
g them. You will live
essings." According to
ground that his loud
ause he was dumb and
d voice, was not meant
Prophet as that of the
verse was revealed."
ges 12-125).

"their shouting before
: (i) which does not
deeds vain (ii) which
d deeds vain. The first
insulting action as in
g with loud voice in
ents of injury or insult
day of the battle of
l the people with loud
ith such a loud voice
men delivered their
e second is based on
s as was done by the

tion of this verse was
said, "I will marry
f the Prophet." When
s greatly injured by
e was revealed which
wives of Prophet for

ever and the Holy Prophet said, "My wives in this world will be my wives in the hereinafter." But before the revelation of this verse there had practically happened that the Holy Prophet once divorced a wife named Kalbiah and she married with Ikrima Ibn Abu Jahal and according to some she married with Ibn Qais Kindi. This shows that at that time it was not a source of the injury or the Prophet in their mind by saying to marry his wife after his death as it had not been prohibited." (ibid., page 230).

57. The Holy Prophet didn't punish Mistah, Hassan and Hamnah who had actually participated in the accusation of Hazrat Aisha and he also did not declare them as hypocrites. Ibn-e-Taimiyyah, explaining that position writes, "they had not intended the injury of the Prophet and there was not any sign of that, while Ibn Ubayy had intended the injury. This was because at that time it had not been told to them that the wives of the Prophet in this world will be his wives hereinafter and it was possible about their wives in general sense. It is for this reason that Holy Prophet hesitated in their matter and consulted Ali and Zaid and enquired from Barirah and consequently didn't declare those who didn't intend the injury of the Prophet as hypocrites on the possibility in their mind that Holy Prophet might have divorced the accused wife. But after the order that his wives in this world will be his wives hereinafter and that they are the mothers of the believers, their accusation would be the injury of the Prophet at any cost." (Assarimul Maslul, ala Shatimir Rasul, page 49).

58. Maulana Ahmad Yar Khan Badayuni writes, "intention" of the contemner is necessary for

proving the offence of contempt of the Holy Prophet. If a person said, "The Holy Prophet was poor and was not a fortunate." So he will become infidel only when he intends the contempt of the Prophet with that." (Nurul Irfan, Part X, page 74).

59. Some of the Jurists are, however, of the opinion that if the contempt of the Holy Prophet is in manifest and express words, the contemner will not be asked as to what was his intention but if the words are such which bear or have the capacity of bearing different meanings and senses out of which only one amounts to contempt, he will be asked as to what was his "intention." (Al-Shifa, Qazi Ayaz, Vol.II, page 221).

60. We, however, do not agree. Firstly, the meaning and import of words differ from place to place. Again context may also suggest different meaning. The accused therefore, must be allowed an opportunity to explain lest an. innocent person is punished. It is related that Holy Prophet said; "The mistake of qazi (judge) in releasing a criminal is better than his mistake in punishing an innocent." (Sunan Al-Baihaqi, Vol. VIII, page 184). The Holy Our'an also confers right of hearing on every accused. It is to be noted that though Allah Almighty knows, that whatever is written in the scrolls by the guardian Angels, about the deeds of a person in this world, is correct beyond any doubt, yet we find that the man will be heard and if he objects to the writings of the angels, Allah shall call witnesses including his hands, feet, eyes and ears. See al-Our'an 17:13, 14,36:65, 27:W, 22, 16:93 and 21:23. We also find from the Traditions referred to in paras.36-41 above that the right of an accused to explain is there and cannot be taken away. It is, therefore, only after the

explanation that the C
words so said were ir
used maliciously an
uttered innocently.

61. It has been related or
Ibn Rafi'a that he hear
Apostle sent me,
somewhere saying, P
Khakh. There you w
Take the letter from
horses ran at full pa
where we found the la
the letter." She replie
We said, "Either you
will take off your clo
braid. We brought th
it contained a stateme
to some of the Macc
some of the intentic
Allah's Apostle said
replied, "O Allah's
your judgment abo
connected with the C
this tribe, while the
their relatives in M
dependents and
recompense for my
by doing them a fa
my dependents. I
disbelief nor aposta
(disbelief) to Islam.
has told you the
Vol.IV, pages 154-1

62. A Hanafi Jurist, A
jurists opine that ir

explanation that the Court can decide J whether the words so said were intended to malign, were they used maliciously and contemptuously or were uttered innocently.

61. It has been related on the authority of Ubaidullah Ibn Rafi'a that he heard Hazrat Ali saying, "Allah"s Apostle sent me, Az-Zubair and Al-Migdad somewhere saying, Proceed till you reach Rawdat Khakh. There you will find a lady with a letter. Take the letter from her". "So, we set out and our horses ran at full pace till we got at Ar-Rawda where we found the lady and said (to her). "Takeout the letter." She replied, "I have no letter with me." We said, "Either you take out the letter or else we will take off your clothes," So she took it out of her braid. We brought the letter to Allah's Apostle and it contained a statement from Hatib Bin Abi Balta'a to some of the Maccan pagans informing them of some of the intentions of Allah's Apostle. Then Allah's Apostle said, "O Hatib what is this? Hatib replied, "O Allah's Apostle "Don't hasten to give your judgment about me. I was a man closely connected with the Quraish, but I did not belong to this tribe, while the other emigrants with you, had their relatives in Mecca who would protect their dependents and property. So, I wanted to recompense for my lacking blood relation to them by doing them a favour so that they might protect my dependents. I did this neither because of disbelief nor apostasy nor out of preferring kufr (disbelief) to Islam." Allah's Apostle said, "Hatib has told you the truth... ... ..." (Bukhari, Vol.IV, pages 154-155, Hadith No.251).

62. A Hanafi Jurist, Allama Muhiyuddin, writes, "the jurists opine that in matter of the contempt of the

Prophet the ruler or the judge has to look into the situation had the general conduct of the contemner before deciding the matter." (Akham Al-murtad, Numan Abdur Razaq Samraqi, page 109).

63. An Indian renowned scholar Maulana Ahmad Raza Khan Brailwi writes in this regard, "There is difference between the words of infidelity and the position of the person who quotes these words and becomes infidel with that. (Tamhid-e-Imam, page 59). He further says, "The use of the word raina is not contempt now as it is not said in the context of contempt of the Prophet in these days." (Khatm-e-Nubuwwat, page 71).

64. It has been related that a jew woman named Zainab Bint al-Haris mixed poison in meat and offered it to the Prophet liked eating the meat of the arm of the goat, she, mixed more poison in that part of the meat. Holy Prophet and Bishar Ibn Al-Bar'a who was accompanied with the Holy Prophet ate from that. But when Holy Prophet started eating, he felt that it is poisonous and thus threw it put from his mouth. Then Holy Prophet called that jew woman and asked her about that. She confessed to have mixed poison in that meal. The Holy Prophet then asked her as to why she had done so. She answered that she thought if you (Prophet) are a king, we will get rid of you and if you are a Prophet, there will be no harm to you. The Holy Prophet forgave her. (Aqziyah al-Rasul by Muhammad Ibn Farj Urdu Translation, pages 189, 190).

65. It is also to be noted that Allah Almighty creates no distinction or inequality in the status of the Prophets though He did bestow on some of them more gifts than others. We quote here for reference the following verses from the Holy Qur'an:-

"17:55 We
more (and other) gi
to David (the gift of

"2:253 Tho
gifts, Some above
spoke; Others He ra
Jesus the son of M
strengthened him w
so willed, succeedi
fought among each
come to them, But
believing and othe
willed they would
Allah fulfilleth His

"2:136 Say
the revelation given
Isaac, Jacob, and
Moses and Jesus a
from their Lord; W
one and another of
Islam)."

"3:84 Say:
has been revealed
Abraham, Ismail,
in (the Books) g
Prophets, from the
between one and a
do we bow our
2:285,4:150 and 4:

66. Practically, all the
that in view of the
of all the Prophe
death as determi

contempt of the Holy
"The Holy Prophet was
ate." So he will become
ıds the contempt of the
Irfan, Part X, page 74).

wever, of the opinion that
y Prophet is in manifest
temner will not be asked
on but if the words are
the capacity of bearing
nses out of which only
he will be asked as to
(Al-Shifa, Qazi Ayaz,

Firstly, the meaning and
m place to place. Again
different meaning. The
allowed an opportunity
person is punished. It is
id; "The mistake of qazi
minal is better than his
innocent." (Sunan Al-
184). The Holy Our'an
g on every accused. It is
h Almighty knows, that
scrolls by the guardian
person in this world, is
et we find that the man
cts to the writings of the
vitnesses including his
. See al-Our'an 17:13,
nd 21:23. We also find
to in paras.36-41 above
to explain is there and
therefore, only after the

explanation that the Court can decide J whether the words so said were intended to malign, were they used maliciously and contemptuously or were uttered innocently.

61. It has been related on the authority of Ubaidullah Ibn Rafi'a that he heard Hazrat Ali saying, "Allah"s Apostle sent me, Az-Zubair and Al-Migdad somewhere saying, Proceed till you reach Rawdat Khakh. There you will find a lady with a letter. Take the letter from her". "So, we set out and our horses ran at full pace till we got at Ar-Rawda where we found the lady and said (to her). "Takeout the letter." She replied, "I have no letter with me." We said, "Either you take out the letter or else we will take off your clothes," So she took it out of her braid. We brought the letter to Allah's Apostle and it contained a statement from Hatib Bin Abi Balta'a to some of the Maccan pagans informing them of some of the intentions of Allah's Apostle. Then Allah's Apostle said, "O Hatib what is this? Hatib replied, "O Allah's Apostle "Don't hasten to give your judgment about me. I was a man closely connected with the Quraish, but I did not belong to this tribe, while the other emigrants with you, had their relatives in Mecca who would protect their dependents and property. So I wanted to recompense for my lacking blood relation to them by doing them a favour so that they might protect my dependents. I did this neither because of disbelief nor apostasy nor out of preferring kufr (disbelief) to Islam." Allah's Apostle said, "Hatib has told you the truth... ... ..." (Bukhari, Vol.IV, pages 154-155, Hadith No.251).

62. A Hanafi Jurist, Allama Muhiyuddin, writes, "the jurists opine that in matter of the contempt of the

Prophet the ruler or the judge has to look into the situation had the general conduct of the contemner before deciding the matter." (Akham Al-murtad, Numan Abdur Razaq Samraqi, page 109).

63. An Indian renowned scholar Maulana Ahmad Raza Khan Brailwi writes in this regard, "There is difference between the words of infidelity and the position of the person who quotes these words and becomes infidel with that. (Tamhid-e-Imam, page 59). He further says, "The use of the word raina is not contempt now as it is not said in the context of contempt of the Prophet in these days." (Khatm-e-Nubuwwat, page 71).

64. It has been related that a jew woman named Zainab Bint al-Haris mixed poison in meat and offered it to the Prophet liked eating the meat of the arm of the goat, she, mixed more poison in that part of the meat. Holy Prophet and Bishar Ibn Al-Bar'a who was accompanied with the Holy Prophet ate from that. But when Holy Prophet started eating, he felt that it is poisonous and thus threw it put from his mouth. Then Holy Prophet called that jew woman and asked her about that. She confessed to have mixed poison in that meal. The Holy Prophet then asked her as to why she had done so. She answered that she thought if you (Prophet) are a king, we will get rid of you and if you are a Prophet, there will be no harm to you. The Holy Prophet forgave her. (Aqziyah al-Rasul by Muhammad Ibn Farj Urdu Translation, pages 189, 190).

65. It is also to be noted that Allah Almighty creates no distinction or inequality in the status of the Prophets though He did bestow on some of them more gifts than others. We quote here for reference the following verses from the Holy Qur'an:-

"17:55 We
more (and other) gift
to David (the gift of)

"2:253 Thos
gifts, Some above
spoke; Others He rais
Jesus the son of Ma
strengthened him wi
so willed, succeedin
fought among each
come to them, But
believing and other
willed they would n
Allah fulfilleth His p

"2:136 Say
the revelation given
Isaac, Jacob, and t
Moses and Jesus an
from their Lord; W
one and another of t
Islam)."

"3:84 Say: W
has been revealed t
Abraham, Ismail, Isa
in (the Books) giv
Prophets, from their
between one and ano
do we bow our
2:285,4:150 and 4:15

66. Practically, all the Ju
that in view of the ab
of all the Prophets
death as determine

judge has to look into the conduct of the contemner ter." (Akham Al-murtad, iraqi, page 109).

lar Maulana Ahmad Raza this regard, "There is ords of infidelity and the o quotes these words and t. (Tamhid-e-Imam, page e use of the word raina is not said in the context of in these days." (Khatm-e-

ew woman named Zainab n in meat and offered it to he meat of the arm of the oison in that part of the Bishar Ibn Al-Bar'a who e Holy Prophet ate from het started eating, he felt us threw it put from his et called that jew woman . She confessed to have l. The Holy Prophet then ad done so. She answered ophet) are a king, we will e a Prophet, there will be ly Prophet forgave her. hammad Ibn Farj Urdu]).

llah Almighty creates no the status of the Prophets some of them more gifts here for reference the Holy Qur'an:-

"17:55 We did bestow on some Prophets more (and other) gifts than on others: and We gave to David (the gift of) the Psalms."

"2:253 Those apostles we endowed with gifts, Some above others; To one of them Allah spoke; Others He raised. To degress (of honour); To Jesus the son of Mary. We gave clear (Signs), and strengthened him with the Holy Spirit. If Allah had so willed, succeeding generation would not have fought among each other, after clear (Signs) had come to them, But they (chose) to wrangle, some believing and others rejecting. If Allah had so willed they would not have fought each other; but Allah fulfilleth His plan."

"2:136 Say ye; "We believe in Allah, and the revelation given to us, and to Abraham. Ismail, Isaac, Jacob, and the Tribes, and that given to Moses and Jesus and that given to (all) Prophets from their Lord; We make no difference between one and another of them; and we bow to Allah (in Islam)."

"3:84 Say: We believe in Allah, and in what has been revealed to us and what was revealed to Abraham, Ismail, Isaac, Jacob, and the Tribes, and in (the Books) given to Moses, Jesus, and the Prophets, from their Lord; We make no distinction between one and another among them, and to Allah do we bow our will (in Islam)." and Verses 2:285,4:150 and 4:152.

66. Practically, all the Jurisconsults and Scholars agreed that in view of the above verses and the equal status of all the Prophets as such, the same penalty of death as determined above shall apply, in case

anyone utters contemptuous remarks or offers insult, in any way, to anyone of them.

67. In view of the above discussion we are of the view that the alternate punishment of life imprisonment as provided in section 295-C, P.P.C. is repugnant to the Injunctions of Islam as given in Holy Qur'an and Sunnah and therefore, the said words be deleted therefrom.

68. A clause-may further be added to this section so as to make the same acts or things when said about other Prophets, also offence with the same punishment as suggested-above.

69. A copy of-this -order shall be sent to the President of Pakistan under Article 203-D(3) of the Constitution to take steps for amend the law so as to bring the same in conformity with the Injunctions of Islam. In case, this is not done by 30th April, 1991 the words "or imprisonment for life" in section 295-C, C.P.C. shall cease to have effect on that date.

M.B.A./572/FSC

Order accordingly.

"Appendix-A/1"

IN THE SUPREM
PAKIS

(Appellate ju

Present

Mr. Just
Mr.
Ramday
Mr. Jus

CRIMINAL PETIT

(On appeal from the
the Lahore High Court Laho
No.1815 of 2001 and Murder

..... Dr. Muhammad Amin

Ve

Muhammad Mehboob and an

.... For the petitioner: Mr. M
ASC.

For the Respondent: Not re

Date of Hearing: 13.9.2

....

JU

KHALIL-UI

One Muhammad M
FIR No.466 dated
Khushab, of the com
under sections 295-
was tried by a lear
was found guilty

ious remarks or offers
ne of them.

ission we are of the view
ient of life imprisonment
-C, P.P.C. is repugnant to
as given in Holy Qur'an
the said words be deleted

dded to this section so as
things when said about
ffence with the same
bove.

be sent to the President
icle 203-D(3) of the
or amend the law so as to
y with the Injunctions of
done by 30th April, 1991
t for life" in section 295-
e effect on that date.

"Appendix-A/1"

IN THE SUPREME COURT OF PAKISTAN

(Appellate jurisdiction)

Present

Mr. Justice Abdul Hameed Dogar
Mr. Justiced Khalil-ur-Rehman Ramday
Mr. Justice Nasir-ul-Mulk

CRIMINAL PETITION No.774-of 2002

(On appeal from the judgment dated 20.8.2002 of the Lahore High Court Lahore, passed in Criminal Appeal No.1815 of 2001 and Murder Reference No.61-T of 2001)

..... Dr. Muhammad Amin ...Petitioner

Versus

Muhammad Mehboob and another ...Respondents

.... For the petitioner: Mr. Muhammad Ismail Qureshi, Sr. ASC.

For the Respondent: Not represented

Date of Hearing: 13.9.2005

....

JUDGEMENT

KHALIL-UR-REHMAN RAMDAY, J. One Muhammad Mehboob was accused, through FIR No.466 dated 26.9.1999 of Police Station Khushab, of the commission of offences punishable under sections 295-A and 295-C of the PPC. He was tried by a learned Special Judge at Sargodh; was found guilty of the said charges and was

punished with death under section 295-C PPC while on the charge under section 295-A PPC he was ordered to suffer ten years R.I. On an appeal filed by him in the Lahore High Court bearing Criminal Appeal No.1815 of 2001, he was acquitted of the said charges through a judgment dated 20.8.2002.

2. Muhammad Amin complainant is now before us through this petition and has been heard through Mr. Muhammad Ismail Qureshi, Sr. ASC.

3. The learned Sr. ASC conceded at the very outset that he was not aggrieved of the acquittal recorded by the learned High Court in favour of the accused-respondent but was aggrieved only of certain observations made in paras 27, 30 and 31 of the impugned judgment of the Lahore High Court. Adds that the final jurisdiction in the matters relating to the injunctions of Islam vested in the Federal Shariat Court subject of course to any decision in the matter of the Shariat Appellate Bench of this court and that the impugned observations traveled beyond the purview of the High Court on account of the provisions of Article of 203 GG of the Constitution and that he would be satisfied if it was observed that what has biding effect is the declaration made by the Federal Shariat Court on the subject and not the impugned observations of the learned High Court.

4. This is pricesly what stands declared by Article 203GG of the Constitution and it is observed that binding decision in the matter is one rendered, if at all, by the learned Federal Shariat Court.

5. It is a principle of law too well established by now that the courts do not interfere with the matters of investigation of criminal cases which is the

exclusive domain of t
Station in terms of
Cr.P.C. Therefore, t
learned High Court
Police in Para 30 of t
strictly tenable in lav
intended to cater for
of cases and is likel
cause of justice an
therefore, we do n
interfere with the sa
be clarified that th
defined by section
collect evidence fo
same before a com
this court which is
or innocence of an
the power of the p
does not include th
innocence of an ac

6. Subject to what
petition is dispose

Islamabad, the 13t

Comments
judgment in the
the learned autho
Shariat Court cas
Vs Pakistan a
respondent Provi
he was Advocat
interesting to n
Federal Shariat
judgment of the
the punishment
blasphemy of th

ı under section 295-C PPC while
er section 295-A PPC he was
n years R.I. On an appeal filed
r High Court bearing Criminal
2001, he was acquitted of the
ı a judgment dated 20.8.2002.

complainant is now before us
n and has been heard through
ail Qureshi, Sr. ASC.

C conceded at the very outset
ieved of the acquittal recorded
Court in favour of the accused-
s aggrieved only of certain
ı paras 27, 30 and 31 of the
of the Lahore High Court.
jurisdiction in the matters
tions of Islam vested in the
t subject of course to any
er of the Shariat Appellate
t and that the impugned
beyond the purview of the
t of the provisions of Article
titution and that he would be
erved that what has biding
made by the Federal Shariat
t and not the impugned
ıed High Court.

stands declared by Article
ion and it is observed that
matter is one rendered, if at
al Shariat Court.

oo well established by now
terfere with the matters of
al cases which is the

exclusive domain of the Officer incharge of a Police Station in terms of sections 156 and 157 of the Cr.P.C. Therefore, the directions issued by the learned High Court to the Inspector General of Police in Para 30 of the impugned judgment are not strictly tenable in law but as the same appear to be intended to cater for a better quality of investigation of cases and is likely to be a step to advance the cause of justice and not to impede the system, therefore, we do not consider it appropriate to interfere with the said directions. It may, however, be clarified that the purpose of investigation as defined by section 4 (1) of the Cr.P.C is merely to collect evidence for the purposes of placing the same before a competent trial court and it is then this court which is qualified to determine the guilt or innocence of an accused person and further that the power of the police officer to investigate a case does not include the power to determine the guilt or innocence of an accused person.

6. Subject to what has been observed above, this petition is disposed of.

Islamabad, the 13th September

Comments by the author: It is a unique judgment in the above titled case in the sense that the learned author judge had appeared in the Federal Shariat Court case titled Muhammad Ismail Qureshi Vs Pakistan as a counsel representing the respondent Provincial Government of Punjab while he was Advocate General of the Province. It is interesting to note that the issue in the above Federal Shariat Court judgment and the present judgment of the Supreme Court was pertaining to the punishment for unpardonable offence of the blasphemy of the Holy Prophet (PBUM).